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W. P. Fessenden

HON. WILLIAM P. FESSENDEN,

SENATOR FROM MAINE.

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MEMORIAL ADDRESSES

ON THE

# LIFE AND CHARACTER

OF

# WILLIAM PITT FESSENDEN,

(A SENATOR FROM MAINE,)

DELIVERED IN THE

## SENATE AND HOUSE OF REPRESENTATIVES,

41ST CONGRESS, 2D SESSION,

DECEMBER 14, 1869.

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# WILLIAM PITT FESSENDEN.

## PROCEEDINGS IN THE SENATE.

PRAYER BY THE CHAPLAIN, REV. J. P. NEWMAN, D.D.

Lord, Thou hast been our dwelling-place in all generations. Before the mountains were brought forth, or ever Thou hadst formed the earth and the world, even from everlasting to everlasting, Thou art God. Older than the earth, older than the stars, older than the angels, Thou art God eternal and blessed forevermore. But upon all things earthly is impressed vanity, and we deplore the sin which has doomed us to sorrow and to death. Empires pass away, and humanity, generation after generation, is carried to the charnel-house of departed ages. But we return Thee hearty thanks, gracious God, that, notwithstanding this general doom, the noble and the immortal part of man shall survive the tomb. We return Thee thanks for all that was great in intellect and noble in heart and philanthropic in life, for all that was patriotic and loyal in the public services, of him whose memory shall be commemorated to-day. And grant that by this dispensation of Thy providence these Senators may grow wise; that they may so live and so die that their lives shall be their eulogy; that in their death the people shall rise up and call them blessed; and that God may pronounce His benediction upon their eternity. Regard in Thy tender mercy those who were near and dear to the departed. May they be infolded in the arms of Thine affection and protection. Command Thy blessing upon Thy servant,

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the President of this Republic; upon Thy servant who presides here; upon these Senators; upon all that are in authority; and upon the whole nation; for Jesus' sake. Amen.

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REMARKS BY MR. MORRILL, OF MAINE.

*Mr. President:* One who at your adjournment in April had in this Chamber become a familiar presence, a pervading influence, comes not again at your reassembling in December. The dull toll of far-off bells, the visible emblems of mourning, public and private, have spoken of bereavement, and touch our hearts with deepest sensibility.

These swiftly-repeating vicissitudes in the personal destinies of those associated here; a consciousness of the numbers of the wise, the patriotic, the trusted, who of late have departed hence—who come no more to these councils—oppress as with the weight of a common misfortune; and now a new absence at the roll-call to earthly duty inflicts a fresh pang of regret. A great public sorrow afflicts the people of my State—a sense of bereavement the nation. In especial sympathy with the common misfortune the Senate pauses to pay its tribute of respect to its eminent dead, the marked lineaments of whose form and character are vivid still in the memory, who so lately stood here in his high office, in the prominence of native gifts and of a rich and varied experience, challenging the respect, the confidence, and the admiration of his countrymen.

On the 8th day of September last, after a career pre-eminent in professional and public life, beginning with his earliest manhood, and having been constantly associated with the courts, and officially in the public councils of the State and nation, at the zenith of his fame and in the full possession of his intellectual faculties, William Pitt Fessenden was called away from the scenes of earth.

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The public career of Mr. Fessenden was not in any sense problematical; and in this presence, a witness to so considerable a portion of it, and in its just prominence, so intimately associated with the great events of our more recent history, analysis of it would seem to be quite needless; while properly to other hands and other occasions it may be left adequately to portray those marked elements of his character from which sprang his public eminence.

His years of activity were divided between public and professional life, to the latter of which in early years he consecrated himself with singular fidelity, his passionate fondness for it remaining long after the exigencies of the public service had severed all practical connection with it. While the former was not wholly uninterrupted and exclusive, it was sufficiently continuous and devoted for contact, connection, and familiarity with the politics and public events of the day.

Entering the legislature of his State at twenty-six, he was returned at short intervals, was early a member of Congress, again in the legislature, then advancing to this body, then, briefly, minister of state, and finally again in the Senate, where it may not unfitly be said his service was continuous from its first beginning to its final close.

His early advent into the legislature of his State was noticeable for the concession of the party in power to his eloquence and acquirements, of positions of distinction and influence which by usage belonged to political friends, to riper years, and larger experience.

On his entrance into the national House of Representatives, himself among the youngest of its members, he at once participated in the important debates of that body, attracting notice as a graceful orator and skillful debater, and for the comprehension and maturity of his opinions.

His pre-eminent public career dates, strictly, from his entrance into this body in 1854, as from this time he gave himself exclusively to his public duties.

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Simultaneously with his advent to the Senate arose in Congress that class of public questions which were calculated to test the temper of his affections, the tenacity of his opinions, and the steadiness of his purpose. Kansas-Nebraska, the stalking-horse of slavery, which under an affectation of defending the Constitution was to conceal the guilty purpose of subversion of democratic republican institutions, afforded an opportunity for the exhibition of those powers of analysis, logic, and invective which have rarely been surpassed in any legislative body. Here was audacious menace, significant hint to overt treason which was to follow; here were the first mutterings of the storm that was to burst upon the nation amid the convulsions of civil war. This audacious spirit of bad faith, usurpation, and oppression, leading an assault upon popular rights, could not fail to provoke the intensest hostility in one, the very elements of whose being made him intolerant of every species of infidelity, violence, and cruelty.

The effect here of his memorable speech on that occasion was electric, and contributed, it may not be doubted, to swell the tide of popular indignation and resolution of the great national uprising of 1856, followed in after years by memorable deeds in arms.

Not aggressive in spirit, not an advanced radical reformer even, whatever may be said of his constitutional conservatism, he was, by the native simplicity of his tastes, his education and habits of life, and better still, by his enlightened sense of justice and hatred of wrong, always the able and fearless advocate of civil and religious liberty. Republican institutions had no truer conservator and oppression no more determined and uncompromising opponent than William Pitt Fessenden.

From this time forward to the close his views were given upon most questions of importance, and his influence upon the legislation and policy of the country during its eventful struggle of civil war was conspicuous. Internal revenue, the currency, the banking system, and finally reconstruction, all

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received the touch of his hand and the influence of his genius.

In sentiment Mr. Fessenden was thoroughly anti-slavery. It was his inheritance, and through life he was faithful to it. In all the attempts of slavery for recognition and protection his opposition was inflexible. When to be anti-slavery was to be anti-American, he was anti-slavery; when his party would compromise, he dissented; when repeal was demanded in its interest, he protested; when, later, on the eve of rebellion, conference and concession were proposed, he would have no participation in it, and would yield no assent; and when war came for separation and independent slave power, he saw in it the nation's opportunity; and that initial measure for universal emancipation—abolition of slavery in the national capital—had his approval and support. The abolition of slavery here he declared was a "measure that had ever been dear to his heart;" and later, on a kindred question, he said: "I tell the President from my place here as Senator, and I tell the generals of the army, that they must reverse their practice of returning fugitive slaves who come within our lines."

The lineaments of Mr. Fessenden's character were marked and clear. He was endowed with an acute understanding, lively sensibility, and intense personality and self-reliance. Penetration and insight eminently characterized his genius. He was through with his preparatory course, had graduated from college, studied his profession and entered upon its practice, and had gained distinction in the departments of law and legislation at an age when most minds are just beginning to contemplate their intricacies and ascend their rugged steeps.

There was next to nothing in his life, public or private, which was factitious or artificial. His professional success and his influence in State and national legislation were by no accident, nor by the employment of adventitious supports, but by the inherent energy and force of his mental constitution. He was eminent in his profession, as in him were combined

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those intellectual faculties and mental habits which go to make the lawyer, the statesman, and the public administrator. Had he possessed more sentiment and imagination and greater enthusiasm for the ideal, it would doubtless have increased his popularity, while it may be questioned if his reliability as a citizen, his distinction as a lawyer, or his eminence as legislator, would have been greater.

In him the intensely practical ever so asserted its preponderance over the ideal in action as to present to superficial observance a lack of the finer sensibilities. He did nothing from impulse, and on the most exciting occasions could be cool and free from irrepressible restlessness; but it was the calm of high resolve, persistent and tenacious, in its triumph over passion and sentiment. He was nevertheless susceptible to the gentler influences; a most genial companion, gentle, tender, and affectionate in his family, and had delight in the elegant arts—sculpture, painting, and poetry.

Mr. Fessenden was not a theorist; the visions of abstract speculation did not inspire him with confidence. He saw passing events as it were in the retrospect, and was little affected by the factitious circumstances and excitements of the moment. He was not especially deferential to the authority of precedent or tradition, nor readily attracted by novelties or specious pretenses of reform, and fearlessly applied to all propositions for his action or assent the rigor of his accustomed methods of induction and analysis.

His character rested on a granite basis, and sustained the structure of a lofty public virtue and private integrity, while an inflexible personal independence kept guard over the intellect and conscience, and challenged the advance alike of friend and foe to this seat of his power and secret of his success. It would have been impossible for him, like his great namesake, the premier of George III, to recover office, to acquire or retain place or power, by a concession of his principles or of a point of honor. No public man ever more heroically followed the

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leadership of his reason and judgment, and with a loftier disdain of inferior guidance.

His mind and method were of the judicial order. He did not defer to the decision of the popular judgment as the sum of political wisdom and the inevitable law of duty. His own and not the public sense was his rule of action as a Senator. He paid little court to the people, and practiced no artifices and employed no gratuities to enlist them in his interests or purposes. And he did not sway the masses so much by the sublimity of his sentiments as he inspired confidence and admiration by the dignity of his manners, the clearness of his understanding, and the purity of his life.

That he possessed ambition was doubtless true, while equally true it was that he was free from all suspicion that his ambition had overcome his judgment or betrayed his public virtue. He had little ambition for mere power, and less use for it. Patronage he did not covet or employ as a support; nor had the greed of gain, nor the desire of accumulation, power over him as a man, a citizen, or public servant.

If excellence in oratory is to be determined by its instant effect, Mr. Fessenden was in this entitled to high rank. His style was clear and close; his reasoning concise; his language simple and natural; his sarcasm keen and pungent. His speeches were calculated and designed for present effect, and never seem to have been elaborated with a view to their appearance in print. Taken by no sudden impulse, poised in debate on his intellect and reason, he was never vehement, rarely yielding to strong emotions, and only when pressed by antagonism strongly assailing his convictions or impinging his personal independence. On such occasions he exhibited the amplitude of his powers and the intensity of his nature.

Skepticism and infidelity were foreign to his mental constitution. Thoughtful and sincere, with characteristic independence of creeds and traditions, his was a nature to feel the



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religious sentiment strongest as it dwells apart in the silence of the soul. In his recent touching eulogy here of his cherished friend, with whom he had long been associated, are to be found utterances of his profound faith in God and of the Christian's hope of endless and more exalted life.

Among the distinguished characters who shall illustrate the annals of our times history will assign William Pitt Fessenden a conspicuous place. Through all his public life and services there shines the luster of a gifted and noble manhood, of a tried patriotism, and of disinterested devotion to worthy ends and aims. A steady leader, a safe counselor, a pure and considerate patriot, an eminent statesman, a true man and friend, has gone to his reward.

Mr. President, I submit the following resolutions:

*Resolved*, That the Senate receive with deep regret the announcement of the death of William Pitt Fessenden, late a member of this body.

*Resolved*, That the members of the Senate will manifest their respect for the memory of the deceased by wearing the usual badge of mourning.

*Resolved*, That these proceedings be communicated to the House of Representatives.

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REMARKS BY MR. SUMNER, OF MASSACHUSETTS.

*Mr. President:* A seat in this Chamber is vacant. But this is a very inadequate expression for the present occasion. Much more than a seat is vacant. There is a void difficult to measure, as it will be difficult to fill. Always eminent from the beginning, Mr. Fessenden during these latter years became so large a part of the Senate, that without him it seems to be a different body. His guiding judgment, his ready power, his presence so conspicuous in debate, are gone, taking away from this Chamber that identity which it received so considerably from him.

Of all the present Senate one only besides myself witnessed his entry into this Chamber. I can not forget it. He came in the midst of that terrible debate on the Kansas and Nebraska

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bill by which the country was convulsed to its center, and his arrival had the effect of a re-enforcement on a field of battle. Those who stood for Freedom then were few in numbers—not more than fourteen, while thirty-seven Senators in solid column voted to break the faith originally plighted to Freedom and to overturn a time-honored landmark, opening that vast Mesopotamian region to the curse of Slavery. Those anxious days are with difficulty comprehended by a Senate where Freedom rules. One more in our small number was a sensible addition. We were no longer fourteen, but fifteen. His reputation at the bar, and his fame in the other House gave assurance which was promptly sustained. He did not wait, but at once entered into the debate with all those resources which afterwards became so famous. The scene that ensued exhibited his readiness and courage. While saying that the people of the North were fatigued with the threat of disunion—that they considered it as "mere noise and nothing else," he was interrupted by Mr. Butler, of South Carolina, always ready to speak for Slavery, exclaiming, "If such sentiments as yours prevail I want a dissolution right away"—a characteristic intrusion doubly out of order—to which the new-comer rejoined, "Do not delay it on my account; do not delay it on account of anybody at the North." The effect was electric; but this incident was not alone. Douglas, Cass, and Butler interrupted only to be worsted by one who had just ridden into the lists. The feelings of the other side were expressed by the Senator from South Carolina, who after one of the flashes of debate which he had provoked exclaimed: "Very well, go on; I have no hope of you." All this will be found in the Globe, precisely as I give it, but the Globe could not picture the exciting scene—the Senator from Maine erect, firm, immovable as a jutting promontory against which the waves of ocean tossed and broke in dissolving spray. There he stood. Not a Senator, loving Freedom, who did not feel on that day that a champion had come.

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This scene so brilliant in character, illustrates Mr. Fessenden's long career in the Senate. All present were moved, while those at a distance were less affected. His speech, which was argumentative, direct, and pungent, exerted more influence on those who heard it than on those who only read it, vindicating his place as debater rather than orator. This place he held to the end without a superior—without a peer. Nobody could match him in immediate and incisive reply. His words were swift, and sharp as a cimeter, or, borrowing an illustration from an opposite quarter, he "shot flying" and with unerring aim. But while this great talent secured for him always the first honors of debate, it was less important with the country, which, except in rare instances, is more impressed by ideas and by those forms in which truth is manifest.

The Senate has changed much from its original character, when, shortly after the formation of the National Government, a Nova Scotia paper, in a passage copied by one of our own journals, while declaring that the habits of the people here are very favorable to oratory, could say, "There is but one assembly in the whole range of the Federal Union in which oratory is deemed unnecessary, and, I believe, even absurd and obtrusive, to wit, the Senate, or upper house of Congress. They are merely a deliberative meeting, in which every man delivers his concise opinion, one leg over the other, as they did in the first Congress, when an harangue was a great rarity." [*United States Gazette, Philadelphia, December* 31, 1789.] Speech was, then, for business and immediate effect in the Chamber. Since then the transformation has proceeded—speech becoming constantly more important—until now, without neglect of business, the Senate has become a center from which to address the country. A seat here is a lofty pulpit with a mighty sounding-board, and the whole wide-spread people is the congregation.

As Mr. Fessenden rarely spoke except for business, what he said was restrained in its influence, but it was most effective

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in this Chamber. Here was his empire and his undisputed throne. Of perfect integrity and austerest virtue, he was inaccessible to those temptations which in various forms beset the avenues of public life. Most faithfully and constantly did he watch the interests intrusted to him. Here he was a model. Holding the position of chairman of the Finance Committee, while it yet had those double duties which are now divided between two important committees, he became the guardian of the national treasury, both in its receipts and its expenditures, so that nothing was added to it or taken from it without his knowledge, and how truly he discharged this immense trust all will attest. Nothing could leave the Treasury without showing a passport. This service was the more momentous from the magnitude of the transactions involved, for it was during the whole period of the war, when appropriations responded to loans and taxes—all being on a scale beyond precedent in the world's history. On these questions, sometimes so sensitive and difficult and always so grave, his influence was beyond that of any other Senator and constantly swayed the Senate. All that our best generals were in arms he was in the financial field.

Absorbed in his great duties and confined too much by the training of a profession which too often makes its follower slave where he is not master, he forgot sometimes that championship which shone so brightly when he first entered the Senate. Ill-health came with its disturbing influence, and, without any of the nature of Hamlet, his conduct at times suggested those words by which Hamlet pictures the shortcomings of life. Too often, in his case, "the native hue of resolution was sicklied o'er with the pale cast of thought," and, perhaps, I might follow the words of Shakespeare further, and picture "enterprises of great pith and moment, which, with this regard, their current turned awry and lost the name of action."

Men are tempted by the talent which they possess, and he

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could not resist the impulse to employ, sometimes out of place, those extraordinary powers which he commanded so easily More penetrating than grasping, he easily pierced the argument of his opponent, and, once engaged, he yielded to the excitement of the moment and the joy of conflict. His words warmed, as the Olympic wheel caught fire in the swiftness of the race. If, on these occasions, there were sparkles which fell where they should not have fallen, they cannot be remembered now. Were he still among us, face to face, it were better to say, in the words of that earliest recorded reconciliation:

> "Let us no more contend nor blame
> Each other, blamed enough elsewhere, but strive
> In offices of love how we may lighten
> Each other's burden in our share of woe."

Error and frailty checker the life of man. If this were not so earth would be heaven, for what could add to the happiness of life free from error or frailty? The Senator we mourn was human; but the error and frailty which belonged to him often took their color from virtue itself. On these he needs no silence, even if the grave which is now closing over him did not refuse its echoes except to what is good.

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REMARKS BY MR. TRUMBULL, OF ILLINOIS.

*Mr. President:* While these last rites are taking place, even though unsolicited, my feelings would not have allowed the occasion to pass away without laying upon the grave of our departed brother some token of my affection and regard; and though the flowers I bring are gathered by the wayside, they represent a love and a respect no less sincere than those which have been more skillfully selected and arranged for the occasion. Others have spoken, and truly, of the loss which the Senate and the nation have sustained in the death of Mr.

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Fessenden. His clear intellect, quick perception, and incisive manner of speaking gave him great power in a legislative body, and when added to these are purity of character, spotless integrity, a high sense of honor, together with love of country and of liberty, you have the useful and accomplished statesman, and such was Mr. Fessenden. As a debater, engaged in the current business of legislation, the Senate has not had his equal in my time. No man could detect a sophistry or perceive a scheme or a job quicker than he, and none possessed the power to expose it more effectually. He was a practical, matter-of-fact man; in other words, a business man, utterly abhorring all show, pretension, and humbug. He was laborious, careful, and painstaking; punctual and attentive to business, understood well the meaning of words, and was precise in their use.

Being a practical man he seldom if ever made what are called set speeches or orations. He never spoke except to the question before the Senate; and in controversies, whether with political adversaries or in regard to current business, he had no superior in the body. I well recollect the estimate put upon Mr. Fessenden as a well-informed ready debater when I first came to the Senate. At that time it consisted of sixty-two members, of whom only fifteen were republicans. It was a time of high party excitement. The majority were domineering and often offensive to members of the minority. They controlled the business of the Senate and could take their own time to assail minority Senators or the views they entertained, and it was not uncommon for members of the dominant party to go out of their way to seek controversies with and assail certain Senators in the minority less practiced in debate than themselves, and over whom they supposed they could obtain some advantage; but they never sought controversies with Mr. Fessenden, and when a debate did incidentally spring up between him and some political opponent, I have not forgotten how pleased and gratified his political associates were that the

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discussion was in the hands of one so competent to maintain it on their part.

No political friend ever feared the result of a discussion of any kind in which Mr. Fessenden was engaged. The period of his public services embraces the most important events which have occurred in our nation's history, and he was a prominent actor in them all. Either as the head of the Finance Committee of this body, or as Secretary of the Treasury, he took a principal part in originating, maturing, and giving practical effect to that financial policy which furnished the sinews by which the great rebellion was crushed. The war over, he took a leading part in the difficult work of restoring order to a country torn asunder by four years of remorseless civil war, and was especially conspicuous in those measures which we all trust are soon to bring into harmonious relations all the States of the Union. As a public officer and a Senator he was scrupulously careful of the interests and the honor of the Government. So zealous was he in this respect, and so little patience had he with any attempt to take advantage of the Government, or with demagogism or shams of any kind, that some attributed to him an austerity and irritability which did not belong to him as a man. It was only as an official that he sometimes seemed hard and austere. As an individual in the private walks of life he was full of sympathy and kindness and charity. When the sad tidings of his death flashed across the land, its public men and we who were his associates were not the only ones who felt the shock, but it fell with still heavier force on many an obscure and lowly one who had enjoyed his favor and been the recipient of his unostentatious bounty. In the discharge of public duty he stood erect, unmoved alike by threats of vengeance or promises of favor. In private life he was kind and gentle and obliging.

But I did not rise so much to speak of the great abilities and noble traits of character which have made Mr. Fessenden's death to be felt as a national calamity, as of the personal loss

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which I myself feel at his departure. Only three others are now left who were here when I came to the Senate, and there is but one who came with me. There has been no one here since I came to whom I oftener went for counsel and whose opinions I have been accustomed more to respect than those of our departed friend. There were occasions during our fourteen years' service together when we differed about minor matters and had controversies for the time unpleasant, but I never lost my respect for him nor do I believe he ever did his for me. He was my friend, more closely perhaps the last year or two than ever before. Like other Senators, I shall miss him in the daily transactions of this chamber, and perhaps more than any other shall miss him as the one person from whom I most frequently sought advice. I am not one of those, however, who believe that constitutional liberty, our free institutions, or the progress of the age depend upon any one individual. When the great and good Lincoln was stricken down I did not believe that the Government would fail or liberty perish. Though his loss may have subjected the country to many trials it would not otherwise have had, still our Government stands and liberty survives.

Another has taken Mr. Fessenden's place; others will soon occupy ours, to discharge their duties better perhaps than we have done, and he among us to-day will be fortunate indeed, if when his work on earth is done he shall leave behind him a life so pure and useful, a reputation so unsullied, a patriotism so ardent, and a statesmanship so conspicuous as William Pitt Fessenden.

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REMARKS BY MR. ANTHONY, OF RHODE ISLAND.

*Mr. President:* It is not with the expectation of adding anything to what has been said, but rather for the gratification of my own feelings, that I rise to add one more tribute to the



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worth of our friend, whose face we shall not again see with mortal eyes. His history has been recited by those who knew him from his youth, his character has been depicted by those who loved him. Much of that history passed under our own observation; and all of that character was appreciated and admired by those who were associated with him in this body, and who, by general consent, accorded to him a place second to that of no man in it.

In rendering my cordial assent to all that has been spoken in praise of Mr. Fessenden I only repeat of him dead what I have said of him living. It is the general fortune of eminent public men to be greatly slandered in life and to be unduly eulogized in death. If Mr. Fessenden did not altogether escape the former, history will admit that even the high praise that has been pronounced upon him to-day, is not exaggerated, is not the outpouring of personal friendship, which seeks relief from its sorrow in the extravagance of eulogy, but the deliberate judgment which those who were long associated with him had formed of his character. That judgment which is expressed in words after his death, was expressed in acts during his life. The great weight which his counsels carried in this chamber, the uniform respect paid to his opinions, and the conspicuous positions assigned to him, all attest the estimation in which he was held. And this estimation was undoubtedly founded on real merit, for Mr. Fessenden had not the arts of popularity, and perhaps held in too light esteem those appliances of suavity which often cover pretension and superficialness, but by which real merit does not sometimes disdain to strengthen itself. Hence he relied upon facts fairly presented and upon arguments logically adduced, for the success of a measure, and, when these failed, he did not resort to personal solicitations or individual persuasions. And as he did not make such appeals himself, so he did not yield to them when they came from others. I might recall to you some remarkable instances in which he argued for the convictions of his judg-

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ment, against all the force of personal solicitations, backed by his own sympathies. This temper of mind, this intellectual conscientiousness gave him, with superficial observers, the reputation of indifference to public opinion.

But this reputation was not deserved. On the contrary, I think that he was sensitive to public opinion, and honest praise or censure affected him, perhaps, the more because he would not purchase the one or conciliate the other by concessions that are generally regarded as venial. For that public opinion which is manufactured to order he had great contempt, and flattery did not impose upon him; even to honest but transient public opinion, founded on limited observation and shallow reasoning, Mr. Fessenden, I have sometimes thought, did not give the consideration that was due; for this is not to be overlooked, in shaping legislation; and under free institutions, where political parties are a necessity, statesmen cannot safely forget that they are also politicians, and that, working through the instrumentality of party, something must be conceded to the strengthening of that party which they hold to be identified with the best interests of the country; but genuine public opinion, the sentiment of thinking men, the deliberate judgment of the country, Mr. Fessenden held in profound respect; and although even to that he would not sacrifice his conscientious convictions, he differed from it cautiously and reluctantly.

By some, who knew him slightly, Mr. Fessenden was regarded as a haughty man. This he was not, in any offensive sense of the word. He was grave and reserved; uncommonly quick of apprehension, he was impatient of the sometimes slower processes of other minds, and he carried his intolerance of pretense and sham to a fault—to a fault, because he sometimes confounded these with what were only the harmless peculiarities or even the deliberate judgments of others; but whatever he might claim for the conclusions to which he had brought his mind, he assumed no superiority for himself in reaching them. A truer, kinder heart beats in no living breast than that which

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now lies cold and pulseless. The universal affection in which he was held by those who sustained to him the relations of dependence and subordination is the best proof of this.

It is not given to men to achieve perfection; else this would not be a state of discipline; but of those elements which go towards it few possess so many as did Mr. Fessenden, conspicuous less for the fleeting graces that adorn a character than for the solid virtues that dignify and ennoble it; with small portion of the manner which the great and the little may alike put on, with much of the qualities that only the great and the good possess.

He will long be held in grateful and affectionate remembrance for his masculine and vigorous intellect, for his pure and honest statesmanship, for his careful and exact acquirement, for the independence which nothing could shake, for the integrity which nothing could corrupt; and underlying all, for that sound common sense, that intellectual as well as moral rectitude, upon which, as upon a basis of enduring granite, rose the beautiful superstructure of his character.

How often, Mr. President, during the troublous and perilous times during which you and I have been associated in the public councils, how often when clouds settled darkest upon us and dangers gathered thickest around us, have we felt to invoke the spirits of the mighty dead and to call upon the fathers of the republic, that they would absent them "from felicity awhile," and leaving the mansions of eternal rest, mingle once more in the contests of earthly affairs, and teach us how to preserve the institutions which their wisdom and patriotism had established. And when, turning from the unanswering dead to the living present, we have looked to those who were wisest in council, firmest in purpose, and purest in heart, never did we fail to recognize among them him whom we now lament. And it seems to us that he is taken from us at a time when he is most needed, when the questions are impending that he best could grapple, when the problems are presented that he best could

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solve. We look around for those who shall fill his place. But there is One who doeth all things well. In the order of His providence it is not permitted for any place long to remain vacant; whomever He takes away, He raises up others to fill the void that is left. So it was with Douglas; so it was with Collamer; so it was with Foot; so it was with Lincoln. So it will be with Fessenden. And so, Mr. President—long distant be the day—will it be with you and with others, our wisest and our best. Men die, but their words are left on record, their works remain, their example survives. He who has made a record like that which we are now reviewing, he who has achieved a character like that which we now hold up to the youth of America, may well say, when the supreme hour arriyes—

"Non omnis moriar, multaque pars mei
Vitabit Libitinam."

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REMARKS BY MR. WILLIAMS, OF OREGON.

*Mr. President:* William Pitt Fessenden, though not without his faults, was in many respects a model Senator and statesman. Education and experience had cultivated and matured his mental faculties, and to the consideration of every public question upon which he was called to act he brought a careful, enlightened, and independent judgment. Official association of more than ordinary intimacy enabled me to observe and appreciate those qualities of his character which too often distinguish the ideal from the actual Senator. Of these the most striking, that which gave tone and complexion to the others, was his utter repugnance to every form of indirection and deceit, and his profound contempt for all the arts and appliances of the demagogue. Conscious of the rectitude of his own purposes, and confident in the correctness of his own views, popular clamor was to him as the breath of an idle wind, and

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to argue that a proposed policy which he believed to be wrong would please the people, was to employ the weakest of means to influence his sturdy judgment. Nothing seemed to disturb him more than an effort to carry through the Senate for partisan ends some measure which he conceived to be unreasonable or unjust; and I have seen him writhe with pain at the delivery of speeches here whose fallacies and false conclusions, though obvious to him, were plausible enough to impose upon the ignorant or mislead the unreflecting populace. Deep down in his nature was implanted an instinctive resistance to the smiles of flattery as well as the frowns of disfavor, and by either he was as immovable as the mountain cliff whose rugged brow encounters the sunshine and the storm with equal indifference.

Arising from one's intercourse with some men of irreproachable character, there is a doubt as to the solidity of their moral structure, a fear that in some unhappy moment temptation may overpower them; but no such doubts or fears obtruded themselves into the company of Mr. Fessenden. Perfect faith in his integrity not only possessed all those who approached him, but from his presence there proceeded the perfect assurance that he was as much beyond the reach of corruption as the polished steel is beyond the reach of that rust which fastens itself upon the softer and baser metals. While calumny with its thousand tongues discussed the proceedings in this body upon the trial of the late President, there was none so wicked or malicious as to whisper that Mr. Fessenden's motives upon that occasion were subject to sordid influences. Many questioned the legality and correctness of his opinion; many were deeply pained at his vote; but there was that in his solid and noble character that made it impossible to suppose that his convictions were not as pure in origin as they were fearless in expression. Some men whose public and official acts admit of no question allow themselves to be drawn into various irregularities and impurities of private life;

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but he was as free from dissipation and all its affiliated vices as he was free from contact with any scheme of plundering or fraudulent legislation. Much is said about the corruption of Congress, a thousand times more than is true; but be that as it may, it will be a great consolation to the family and friends of the departed Senator that through all the seductions and temptations of a long and varied political life, he came down to his grave full of years and full of honors, a pure and honest man.

Intellectually, Mr. Fessenden was among the foremost men of the country. Putting aside the discussion upon the slavery question, in which the pre-eminence without dispute belongs to another, he towered in mind among those around him like Saul in form among his countrymen. While admitting his title to this distinction, candor compels me to say that upon any novel and exciting question where the road to success seemed to lie through the chances of recklessness and temerity, he did not possess the requisite qualifications for a great parliamentary leader. He believed that caution was the parent of safety. He was so careful not to do wrong that sometimes he seemed afraid to do right. All that there was akin to cowardice in the nature of Mr. Fessenden is indicated by Shakespeare, when he says that—

"Conscience makes cowards of us all."

Prudence is not unfrequently mistaken for timidity, and it is hard to tell where one ends and the other begins; but that the deceased should be described as a prudent rather than a timid man, is evidenced by the fact that as to any untried experiment in legislation, while he thought little of himself, he was much concerned about its effect upon the safety and happiness of the people or the honor and peace of the country. One feature of the senatorial career of Mr. Fessenden deserves especial mention, and that is, he never indulged in anything of a sensational nature. He had no taste for legislative pyro-

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technics. He had no ambition to do something simply to attract attention or to excite comment. All that he said and did was statesman-like and business-like, and looked to some useful result. I may add, too, that he did not pretend to know everything or discuss every question before the Senate. Familiar and thoroughly conversant with most of the leading subjects of debate, particularly those relating to finance, he spoke as to them only when there was a manifest propriety in his speaking. There was no parade, pomposity, or tinsel about his speeches. French was his aversion, and in my hearing he never made a Latin or poetical quotation. Greece and Rome he left with his college exercises in the classic shades of Bowdoin. Plain, simple, and unaffected in manner and habit, so he was in speech, and his style was as pure and transparent as the water of a New England brook. When Mr. Fessenden arose to address the Senate, it will not be irreverent to say that, so far as the subject under discussion was concerned, he was generally able to say, "Let there be light, and there was light." Clearness of expression more than anything else distinguished his speeches, so that the ideas presented, instead of the words in which they were clothed, filled the mind of the hearer. One of the justices of the Supreme Court told me that many years ago he was associated with Mr. Fessenden in the trial of a cause. According to agreement the judge was to argue the law, for which he made elaborate preparation, and the late Senator was to state the facts. Mr. Fessenden made his statement, after which the court said that nothing further was necessary on that side of the case. So clear, condensed, and convincing was his presentation of the facts that no room was left for argument. As a debater our departed friend had few equals. Logic, sarcasm, and ridicule were employed as circumstances seemed to require. He analyzed and dissipated an adverse argument. Clearness, vigor, and acuteness characterized his discourses. Saladin's sword was not sharper than his intellect. To describe him in the promis-

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cuous debates of this body I would borrow the language of Tennyson:

> "When one would aim an arrow fair,
> But send it slackly from the string,
> And one would pierce an outer ring,
> And one an inner, here and there,
> And last the master bowman, he
> Would cleave the mark."

Common sense and a practical view of things were the noticeable features of Mr. Fessenden's statesmanship. Poets, orators, and philosophers may rise to eminence by the display of a brilliant or eccentric genius, but no man can be a wise and safe statesman without a large endowment of common sense, or, in other words, of that clearness and comprehension of mind which enables him to form correct judgments. Theories and abstractions have been and are the bane of the Republic, and the less a man charged with public affairs has to do with them the better for the country. Right and wrong, as applied to political affairs, are oftentimes relative and not absolute terms. To-day a policy may be right and the circumstances of the people to be affected by it may wholly change, and then it may be wrong. So thought Mr. Fessenden. Free from all Utopian ideas, he acted upon men and things as he found them, not as they might or ought to be; and his action carefully looked to the interests and welfare of all concerned. Some have said, with more or less truth, that he was conservative. No doubt he had some reverence for time-honored things. He loved, like many lawyers, to walk in the ancient ways; he had no pleasure in the work of destruction; he believed in letting well enough alone; but after all, the records of Congress will show that he was a friend to all those great modern reforms in government that have redeemed and purified the Republic.

There was a grace of modesty about the deportment of Mr. Fessenden. He had none of the "I am Sir Oracle" way about him. Nor had he any of that offensive dogmatism which age sometimes arrogates to itself, though he was frequently emphatic and severe in the statement of his views. He had no ambition



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to appear to be more than he was. Among those who depend upon newspapers for information he did not pass current at his real value. Keenly alive to any breath upon the purity of his character, he took no pains to cultivate notoriety. His reputation was the product of no hot-bed appliances, but slowly and noiselessly it grew strong and high, like the tall pines of his native State, whose heads revel proudly in the highest winds of heaven. No little was said in the lifetime of our friend about the infirmity of his temper. That he was irritable at times is true. That he suffered much from physical debility is also true. He was a nervous and high-strung man. He was compelled to struggle for self-control. Charity, however, and a consciousness of our own imperfections should draw a veil over this slight defect in one otherwise so good; and whatever his foibles were in this respect it can only be said of him "he but stumbled in the path we have in weakness trod." To show more of this let me state that I was a member of two committees of which he was chairman, and once only did his anger break out in hasty words toward me. Believing "that a friend should bear his friend's infirmities," I did not notice the matter; but in a few moments he came and in the kindest and most apologetic manner expressed his deep regret at the unpleasant occurrence. While I knew the deceased he displayed little fondness for society. He rather shrank from the fashionable gatherings and gayeties of the capital. He was not so easy of approach as some less agreeable to meet. There was a dignity in his bearing that repressed familiarity. His intimate associates were few, but to these he seemed strongly attached. Fawning and flattery were foreign to his nature. Those who conceived a dislike for him found their own reasons for a change of feeling. With much of truth it may be said of him that he was—

> "Lofty and sour to those who loved him not,
> But, to those men that sought him, sweet as summer."

When the last session of Congress adjourned, in the seats

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nearest to mine sat two distinguished Senators, now gone. One is dead, and the other is in foreign lands seeking for health. Similar in many respects, they were the devoted friends of each other and friends of mine. While I am paying this humble tribute to the memory of the one whom death has taken, I would not forget the other and older friend stricken and away. Unhappily for the country his public life is ended, and the State that he so long represented here will be fortunate indeed if it finds another equal in intelligence, integrity, and power to occupy his place in this body. When the sun of a bright day declines below the horizon, a softened radiance lingers among the shadows of approaching night, and so it is when a good man goes down from a high position in the world to his resting-place in the grave. Streaming behind him is the effulgence of an exalted character to illumine the way for others and to lighten and soothe the sorrows of bereavement. Where the departed statesman lived and died the bells have tolled their farewell peals; the pall, the hearse, and the funeral procession have passed and gone. "Ashes to ashes and dust to dust" have been spoken, and to her maternal bosom the earth has folded his mortal remains; and now we, his fellow Senators, have met in this Chamber, where his person and voice were once so familiar, to celebrate the closing scenes. This is the last of ceremony. Bowing our heads to the will of Providence, and striving to shun his few faults and emulate his many virtues, to the affection of those who loved him, to the gratitude of a country he served long and well, and to the safe-keeping of impartial history, with faith and pride we commit the memory and fame of William Pitt Fessenden.

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REMARKS BY MR. MORRILL, OF VERMONT.

*Mr. President:* In this body, so comparatively few in numbers, the sudden death of any member is sure to be felt, but

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when one of the ripest and most experienced of its members is taken away, to return no more forever, each one of us counts the nation's loss as his own personal bereavement. The golden counsel, the enlightened guidance, commended by long years of daily association and by numberless acts of brotherly kindness, henceforth is to live only in our memory and speak only in the records of the past. Our country has lost in the death of Mr. Fessenden one of its wisest statesmen; and after fifteen years of cordial intercourse and most friendly relations, public and private, my heart would reproach me if I failed to avow that I have lost a trusted friend, or refrained from attempting a brief tribute to his memory. The measures with which I had most to do in the other House brought me early and constantly into close relations with the late Senator, then on the Committee on Finance, where he succeeded Mr. Hunter, a very able and painstaking legislator; and having also boarded with him for several sessions of Congress at the same table, I came to know, and, therefore, although not always in entire sympathy with his views, to appreciate him highly. But I shall barely sketch two or three points, without attempting any complete analysis, of his life and character.

That he had large capacity and a sagacious judgment the whole country gratefully acknowledges, and as a public servant no purer nor more incorruptible man, as I am persuaded, ever came within the walls of the Capitol. No unlawful gain swelled his estate or swayed his opinions. In the rage of fiercest political conflicts no breath of suspicion has ever assailed his integrity or dimmed the brightness of his honor. Neither gain nor personal aggrandizement had any power to bend his lofty independence. It is not to be believed that he could have been induced to vary his political principles a hair's breadth, or to abandon any cherished opinion, for even the highest pinnacle of ambition our Government affords—a temptation which sometimes proves fatal to the successful career of public men; and for those who trimmed or accommodated

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their position to win the stand-point of popular availability he could not conceal profound disgust.

It seemed to have been his sole ambition to be an American Senator, not inferior in dignity and virtue to the best Roman model, and few have so eminently and so usefully adorned the station or have met "the inevitable hour" with a more spotless reputation.

Rarely do we behold a man of such positive traits of character, moving always with such courageous and independent action, who was at the same time so thoroughly modest, as the late Senator Fessenden. While it must be admitted that as a debater he had no superior in the Senate, his appearance in debate was never heralded in advance by any note of preparation, nor was he eager to discover and appropriate the silent but unmistakable approval which usually follows successful argument in the Senate. He was not a petty skirmisher, but gave his views from a broad and comprehensive stand-point. From long holding a leading position here, he was a frequent, though not an obtrusive speaker, neither courting nor shunning debate, and never seemed to feel that it was necessary to his reputation for him to mingle in every question that came up for discussion; for he conceded to others the power of saying all that was necessary to be said, and when that had been said he was even irritated by a further consumption of time in any quarter. He made no speeches for distribution or for his State, except so far as his State was an integral part of the nation. His great aim was to forward the business immediately before the Senate, especially such business as he had in charge, not often by a long and what is termed an exhaustive speech upon all the collateral relations of the subject, but he addressed himself mainly and with much energy to the point where he thought, after all, the whole question hinged, and the admirable swiftness and lucidity with which he did this work evinced that the minor points were not concealed from his view, though below his ambition to present. Yet when it

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became his duty, from his position in the Senate or from his place on committees, to lead or close a debate upon any important question, then he showed his general mastery of affairs, and proved himself competent to handle the gravest issues, whether involving constitutional topics, finance, economy, peace, or war; and all that he needed, whether springing from a fresh glimpse of the subject or drawn from the storehouse of his memory, appeared instantly ready for his use.

Studious of facts, guilty of no nonsense, reverent to the highest principles of liberty and republican policy, cogent and severely logical in argument, his speeches were always a marked feature in any debate; and if he encountered any opposition that might seem to check his career, there was often a sharpness and point in his rejoinders that caused him to be dreaded, as for any scores so received he could not contentedly long sit in arrears. Holding the formidable power of sarcasm within his compressed lips, it would sometimes escape in sport—quite as often in bitter earnest. This pungency in debate involved him in conflicts, not infrequently with his dearest friends, but they forgave him as he forgave them, and he never withheld a generous tribute to the real merits of even those with whom he was least in accord, being fastidiously observant not to forego praise in such directions, lest perhaps he should be guilty of injustice.

When he spoke, with nerves as firm and elastic as a Damascus blade, he bore himself proudly and with graceful ease, always choosing language the most simple, chaste, and fluent to express his meaning; and few beholding his imperial bearing would have suspected his sensitive and retiring nature, or that something of nervous soreness and prostration followed his every effort. He sought no felicity of phraseology, except a direct and plump expression of his meaning. For grandiloquent oratory he had no taste, but of that manly, unaffected speech which is thoroughly in earnest to force conviction upon the hearers he was a consummate master. There was equal

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energy in his thought and manner of delivery, but it is not likely that he ever sought eloquence of any description, or if he did he must have sought the kind so well described by Bolingbroke when he said:

"Eloquence must flow like a stream that is fed by an abundant spring, and not spout forth a little frothy stream on some gaudy day and remain dry for the rest of the year."

Those who were invited to his home found him hospitable, cordial, and wonderfully fascinating in manner and conversation, as he was a brilliant talker, often speaking with humor, and far more ready to unload his memory and display his learning, love of poetry, anecdote, and literary resources at his own fireside than in any more public theater. He made friends and watched their history and welfare with tenderest care, not for the selfish purpose of subordinating them to his private advantage, but because he found an appropriate place for them in his heart, and there they dwelt forever, in no peril of being displaced by other new-found tenants. Fitted to shine in society, he yet generally avoided it, to the deep regret of those who knew him best and loved him most, as they felt that he would have been more widely beloved had he been less of a recluse.

The circumstances under which Mr. Fessenden was called to the Treasury Department, upon the resignation of Secretary Chase, will not soon be forgotten. Large sums of money were required at once; the postponed requisitions lying in wait were enormous, and the credit of the country seemed to be sinking beneath the heavy load. The premium on gold was doubled, and Government paper became almost valueless. General distrust pervaded all financial circles. Nothing but victories in the field promised any support or consolation to the country, and these victories were slowly and hardly to be won from those whose considerable successes had whetted the appetite for more. President Lincoln tendered the office to Senator Fessenden, who hesitated long, fearing, as the diffi-

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culties surrounding the office were so much more formidable than was generally supposed, that he should fail to meet the full expectations of the people, while he was conscious that personally he had everything to lose and nothing to gain by leaving the Senate; yet the urgency of his associates here on both sides of the Chamber, and the hardly less potential voice of the press throughout the country, seldom summoning small men for great vacancies, at length secured his acceptance of the position. The public had confidence in the man and his sterling integrity, and it was this confidence which enabled him to carry the Treasury safely through one of the most gloomy periods in the history of the late rebellion. He appealed to the people for a loan, and they responded with unprecedented liberality. He nursed the national banks and ceased to inundate the country with legal-tender currency. The premium on gold receded. Public credit was re-established. The Secretary had justified the confidence of the public; but only intending to hold the position temporarily, in less than a year he tendered his resignation in order to accept his place in the Senate, to which Maine, with becoming State pride in one of her most distinguished sons, had again promptly returned him.

The administration of the Treasury Department was too brief to afford any opportunity for the display of new and original financial plans, and the Secretary, if he had any such plans, which may be questioned, did not aim at brilliant theories when practical wisdom, economy, and integrity would through daily use serve the country better.

The acceptance by Senator Fessenden of the Treasury Department was based upon a principle deeply imbedded in his nature. He felt that he was called from a station where his usefulness had been unquestioned to a new and untried field to which he had never had any aspirations, and where even great ability and the utmost devotion might not command success; but his principle was that "even his name

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among men should be of little account when weighed in the balance against the welfare of the people," and his administration in a critical emergency proved wise and safe, fully deserving a liberal recognition now as it is sure to receive hereafter.

The most conspicuous instance of Mr. Fessenden's obstinate adherence to the principle already referred to was on the late impeachment trial, and was elaborately enunciated two years earlier in his fine eulogy upon the death of Senator Foot, whom he loved tenderly, and tenderly lamented, where, after referring to all that a faithful Senator will have to encounter, he said:

> "All this, if he would retain his integrity, he must learn to bear unmoved and walk steadily onward in the path of public duty, sustained only by the reflection that time may do him justice, or if not, that his individual hopes and aspirations and even his name among men should be of little account to him when weighed in the balance against the welfare of the people, of whose destiny he is the constituted guardian and defender."

Two years after these words were uttered he practically showed his willingness to brave popular opinion, and, if need be, to sacrifice himself, by voting for the acquittal of the President. That he shocked the public judgment of his State, or of the great party to which he belonged, (and he could belong to no other,) is undeniable; but, however mistaken his views were thought to have been by those of us who reached other and different conclusions upon the same evidence, I am not aware that the integrity of his motives was ever impugned by any of his peers. He probably would never have asked forgiveness for this act, but time gently wears away some of the asperities of political life, and his people, having little else to forgive, would in this case most likely have granted him absolution.

He was the natural and courageous enemy of all political quacks and quackery. With Addison he might have said:

> "Believe who will the solemn sham, not I."



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No measure not resting on the solid foundations of reason and public policy obtained his support. He snuffed pretenders and pretenses afar off and drove them ignominiously from his presence. Even though a friend got inflated with a bubble, the bubble was none the less sure by him to be remorselessly pricked. He espoused no cause until his judgment was convinced, and this he guarded with scrupulous care against all false weights. Intensely New England in thought, as well as in form and feature, yet his whole record might in vain be searched for a sectional vote or a sentiment which might not fairly belong to any liberal-minded statesman.

It is well known that the late rebellion was the sequence of a conspiracy gotten up in this Capitol, based upon the idea that the North would not fight and that peaceable secession was practically safe and easy. But one of the conspirators, then serving in the Senate with Mr. Fessenden, did not conceal his opinion from his midnight associates that the straight and slender Senator from Maine was as much to be feared as any other man in the Senate. Mr. Fessenden was slow to believe that the Government would be forced to resort to the rigors of actual war; he could not think the South would dare to bray the institution of slavery in such a mortar; but, when the time came, his resolution and courage fully justified the apprehension of the incipient rebel. Though the capital of our country trembled from the shock, he was neither confused nor terrified.

No legislator labored more zealously or more efficiently for the preservation of his country, and at the close of the war his "report from the committee of fifteen on reconstruction" will long rank as a masterly production and find its place among the ablest State papers of the nation.

If he had his faults it will be fortunate for those of us who may be charged with less, and let us then bear willing testimony to those pre-eminent gifts and traits of character the memory of which must now swell the common fame of our country and be handed down as a legacy to posterity. The

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praise of to-day will not be inconsiderately bestowed, because it justly belongs to exalted merit and worth.

We miss a true friend, a manly foe, a wise and useful legislator. We miss an American Senator who was warm in his affections for his country and always zealous of its honor.

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REMARKS BY MR. CATTELL, OF NEW JERSEY.

*Mr. President:* If I were to take counsel of my judgment rather than of my feelings, I am sure I should remain a silent listener throughout these mournful ceremonies, for I cannot hope to add anything to the eloquent and impressive words which have fallen from the lips of those who have preceded me, nor will any words of mine add to the justly high estimate which the people of this country have formed of the talents, patriotism, and eminent services of the distinguished statesman whose loss we mourn.

But I should do violence to the promptings of my heart if I failed on this occasion to offer my tribute of respect and affection to the memory of my departed friend.

It is no part of my purpose to attempt any delineation of the character of Mr. Fessenden, or to speak of the eminent services he has rendered to the country on this floor and elsewhere, in the most critical period of our nation's history. His colleague and others have fitly spoken of his public career, and it may safely be left for the pen of the historian to complete the record. My purpose is a more simple and grateful one. I bring from the garden of the heart a few fresh, modest flowers, dripping with the dew of affection, to cast upon the grave of the friend I loved.

Mr. Fessenden was my friend. When three years ago I came to this chamber, fresh from the busy walks of a stirring commercial life which afforded little time for the careful study of public affairs, a stranger to most of the members of the body, unfamiliar with the forms of legislation, deeply impressed with

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the responsibilities of my new position, and distrustful of my ability to do justice to my State, he took me by the hand, addressed to me generous words of encouragement, gave me his confidence, and honored me with his friendship, and with all the kindness, delicacy, and affection of an elder brother, he continued to the end to be my constant counselor and steadfast friend.

At the very outset of my senatorial career he was kind enough to express a wish to have me placed on the Finance Committee, of which he was then chairman; a position which as a new member I had no right to expect, but a compliment I fully appreciated. For more than two years it has been my privilege to occupy a seat by his side in this chamber, kindly invited thereto by himself. I had therefore the advantage of enjoying to a large extent his brilliant and instructive conversation on subjects of public interest, and also ample opportunity to study the characteristics of his mind and heart in the unrestricted social intercourse which such proximity naturally begets between friends.

Mr. President, William P. Fessenden was an honest man; and, sir,

"An honest man's the noblest work of God."

He was the truest man to his convictions I have ever known. He had that combination of qualities which alone can make a great statesman—a clear head and a pure heart coupled with a firm will and a determined spirit. Moreover, I can bear testimony that he was a man of the finest sensibilities, the most tender-hearted and affectionate of men. I speak of this because I fear in some quarters he was not in this respect fully understood. In the heat and fervor of current off-hand debate, wherein I think he was without a rival in this chamber, his keen, sharp, incisive style and earnest manner would sometimes wound an opponent; but he bore malice toward none, and I think it may be truthfully said of him, as he said of the lamented Senator Foot, "Impulsive and ardent in tempera-

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ment, he was generous and forgiving. If injury excited him to anger, it was a generous anger which could hardly outlive the occasion and perished of itself if left alone."

But I forbear. I rose only to speak of him as my friend. I was on the far-off shores of the Pacific when the telegraph brought to that distant point the account of Mr. Fessenden's extreme illness. In common with other members of this body then in California, I watched with intense anxiety the daily bulletin from his home by the shores of the Atlantic; and if ever there went up to Heaven from my heart of hearts an earnest ejaculation, it was that God would spare his life.

But it was otherwise ordered. The bolt has fallen; and while we sorrow for the loss of the patriot, statesman, and friend, it becomes us to bow submissively to the will of Him "who doeth all things well." Mr. President, there are others here who have known Mr. Fessenden longer than I have, who have shared with him for long years the duties and responsibilities of public life; others who respected him in his life, enjoyed his friendship, and now lament his death. But no one in this chamber I am sure will more deeply feel the void created by his death, or miss his companionship more, than I. My heart sinks within me at the thought that I shall no more hear his kindly morning salutation, no more look into his classic face, no more feel the warm pressure of his hand. All this is gone, and gone forever; but I shall hold in perpetual and grateful remembrance the pleasant memories of our friendly relations on earth. It only remains for me to say, farewell, kind friend, farewell.

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REMARKS BY MR. PATTERSON, OF NEW HAMPSHIRE.

*Mr. President:* We have not rested to-day from the ordinary routine of legislation to exhibit a simulated sorrow or to enact an empty pageant at the grave of our fallen associate. The Senate is oppressed with an abiding sense of its bereavement,

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and with the painful thought that one of the wisest of its councilors will never again return to participate in its deliberations.

We all respected, and those who knew him intimately loved, William Pitt Fessenden. He was sometimes tempted into sharp controversies in the arena of debate, for his convictions were profound, his emotional nature quick, and a sarcasm sharper than a Damascus blade was ready at his command. It is natural and pardonable that a trained master in the art of advocacy and defense should enter the lists and fight valiantly when either an old friend or a cherished measure is attacked.

> "We have seen the intellectual race
> Of giants stand like Titans face to face;
> Athos and Ida with a dashing sea
> Of eloquence between, which flowed all free,
> As the deep billows of the Ægean roar
> Betwixt the Hellenic and the Phrygian shore."

The wounds he inflicted were given without malice, though they were sometimes deep and painful; but his antagonists were noble, and their animosities are now all buried in his grave. He was not a politician, but an incorruptible statesman, and our bereavement is therefore a national loss.

Baptized into the name of England's greatest minister, he seems to have been dedicated from the cradle to public affairs. He was born at Boscawen, New Hampshire, on the 16th of October, 1806, within a few miles of the birth-place of Mr. Webster, the life-long friend of his father. Once I heard Mr. Fessenden speak modestly but gratefully of the kindly and fostering interest which the great statesman bestowed upon himself as a child and during the opening years of his manhood. In the same conversation he referred with regret to the vote which he had felt compelled to give in the presidential convention of 1852. Mr. Webster, when told that the friend who had so early enjoyed his affectionate regards had opened the balloting by casting the vote of Maine for General

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Scott rather than himself, after a painful pause, replied, referring to the sentiments of his father, "Well, William Pitt Fessenden has come to his inheritance earlier than I anticipated." This implied an act of ingratitude, and was carried by Mr. Fessenden in sorrow, not in anger, to the grave, as his vote had violated his personal feelings to express the will of his State.

Mr. Fessenden had an exquisitely sensitive nature, which vibrated to the slightest touch; and his affection, especially his love of kindred and friends, was as deep and tender as a woman's. The endearing terms of respect and love in which he was wont to speak of his father in the closing years of his life were touching and beautiful in the extreme; and we who were present shall never forget the moistened eye, the quivering lip, and the stifled utterance with which he spoke of his sons, living and dead, on the solitary occasion when he rose here in his own defense against what he deemed an unjust imputation of an undue exertion of influence in their behalf.

He had little taste, I apprehend, for general society. Formal dinner-parties and the empty show and platitudes of fashionable life he did not relish; but an evening among his friends was a medicine to his public cares and a pleasure to his heart which he gladly welcomed. He did not covet a wide circle of intimates, but followed the precept of Polonius:

> "The friends thou hast, and their adoption tried,
> Grapple them to thy soul with hooks of steel."

He was charitable and considerate toward his friends, and never humiliated or cast off even the humblest by patronizing or domineering.

I doubt not his social habits were modified somewhat by the studious character of his early professional life and the precarious health of his later years. He had learned to husband the time and strength which too many give to pleasure for the discharge of high and grave public trusts.

The remarkable intellectual gifts of this distinguished man

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were an inheritance from both his parents, who were persons of unusual mental vigor; but they had been strengthened by long and close application. I once expressed to him my surprise that he so rarely supported his speeches by reference to legal authorities. His reply was that he had been a close student for twenty years, while in the practice of law, and if his matured opinions could not stand upon their own merits, they were not worth supporting.

But his restless mental activity swept beyond the limits of professional study into the fields of history and general literature. With a fear bordering upon a morbid dread of pedantry, he ordinarily concealed his literary attainments; but sometimes, in the seclusion of his chamber, he would rehearse a poem with such pathos and tender appreciation of its beauties as to surprise and entrance the privileged listener. Once upon such an occasion, when asked why he did not oftener draw illustration and ornament from the classic authors, he expressed a feeling approaching contempt for the practice of interlarding forensic efforts at measured intervals with borrowed scraps of poetry. The solid masonry of argument is weakened by an attempt to build into it the cunning workmanship of rhetoric, and original poverty of style can only be enriched by a mental digestion and appropriation of the best intellectual products of the past. An ignoramus may ape the learning of an Erasmus, and a clown wear the glittering robe of a Sophocles or Milton, but the quick sense of unlettered men even will penetrate their disguises. Mr. Fessenden's honest hate of all such false pretenses was so intense as to deprive him in a measure, I apprehend, of his unquestioned rights as a scholar.

I leave the task of analyzing his mental constitution and political career to others who knew him longer and will speak more at length, but I cannot refrain from alluding to what seemed to me a marked peculiarity of his mind. While there was nothing petty or technical in its processes, while the grasp of his intellect was large and comprehensive, his most striking

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characteristic was a marvelous power of analysis. He was an accomplished logician, and would have excelled as a metaphysician. The nature and minutest relations of every question seemed to come to him by an instantaneous intuition. How often we have seen him blast some fine theory by a single word as potent as the spear of Ithuriel!

He had a habit of resolving every proposition into its elements, and of testing them by the application of first principles; and such was his command of his faculties that he could enter upon and pursue these mental operations in the whirling eddy of affairs and in the midst of the most boisterous debate. He had the rare faculty of withdrawing from the outward and objective into the calm retreats of the reason, where he would fabricate, in undisturbed seclusion, the close argument which he would launch forth in an unlooked-for discussion, all fresh and glowing from the burning forge within.

A stranger might not detect his purpose, but one who knew him well could prognosticate from his expressive face a coming speech with the certainty of assurance. When up, he asked no quarter and resorted to no arts to establish his cause; never substituted his personal authority for logic, but appealed always to the reason and conscience of the Senate.

Mr. Fessenden's written efforts exhibited the same grasp of thought and terseness of expression which we find in his spoken addresses, though it is evident he had not the same facility in composition which he possessed in oral speech. The memorable report of the Joint Committee on Reconstruction, written by him, will hereafter be second to no public document relating to that most important period in the history of our national legislation. It presents the condition of affairs and the questions at issue in a form so clear and compact, and enforces the duty of Congress with arguments so apt and cogent, that it has since had the force of a political creed to the dominant party on the subject of reconstruction. In this, as in every public act with



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which his name is connected, he favors the largest liberty which the conditions of society will allow. His education, his reason, his sympathies, and all the instincts of his noble nature rebelled against every form of human oppression.

He was sometimes conservative, where his political associates demanded reformation, but it was only when convinced that legislation would react against the purity and permanence of the Republic or to the detriment of his countrymen. His large experience and great familiarity with the history of governments sometimes induced hesitation where others less instructed by the experience of the past moved forward upon an unobstructed path amazed and indignant at the scruples of the statesman. Possibly the comprehensiveness of his views and a habit of thoroughly and carefully considering subjects in all their aspects dulled the "native hue of his resolution," and measurably unfitted him to be a leader in revolutionary times. He was never swept off his feet by the force of his indignation against some solitary outrage; never concentrated his gaze so intensely upon some single good as to lose sight of the general welfare of the country in its related interests as an entirety.

He seemed equally informed and equally interested in the foreign and domestic affairs of the Government, in its social and political polities, and in its questions of labor and of capital.

In all the long and eventful period over which his public life extended, though connected intimately with every great measure which passed this body, his integrity and patriotism were never questioned. Bitter and widespread as was the disappointment which attended his vote upon the august trial of the President of the United States, no Senator doubted that William Pitt Fessenden acted from a sense of duty in view of the facts and the law as they presented themselves to his apprehension. By what mental process he could reach the conclusion he did was then, is now, a mystery to many

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who had battled by his side in the long agony of the great rebellion and who now cherish his memory with fraternal love. But when we consider with what infinite pain his sensitive and loving nature must have rolled the bitterness of that defeat upon his life-long supporters and party friends, when we recall the calm and quiet naturalness and self-poise with which he moved in and out before us while intense excitement rolled around this Hall and deep anathemas hung in the air above him, we must acknowledge that there was no self-seeking, no hollow ambition in that act, but only invincible courage and the manliest political virtue. I do not approve his vote, but am compelled to commend the spirit of self-renunciation with which it was given. That was of the very essence of the loftiest public morality.

One who knew him intimately as an associate upon this floor, and himself an invalid in a foreign land, writes these expressive words:

"He was the highest-toned man I ever knew; the purest man I ever knew in public life, and the ablest public man of my day."

It does not fall, sir, within the scope of my purpose to compare Mr. Fessenden with other Senators who have passed to their great inheritance of fame from this arena of legislation. Some have commanded more wealth and splendor of rhetoric; others have held the Senate in the spell of a more powerful and fascinating eloquence; but none have given to the public service more intelligence, a purer patriotism, or a loftier public virtue.

Of the last hours of this distinguished man I know but little. Reared and educated in a neighboring State, New Hampshire claims only the honor of his birth. His public labors and great fame are of the treasures of the whole country; but with pride his native State enrolls his high among the imperishable names which she has given to the Republic and to mankind.

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REMARKS BY MR. DAVIS, OF KENTUCKY.

*Mr. President:* I first saw William Pitt Fessenden in the summer of 1837. Mr. Webster had been invited by his admirers of Kentucky to visit that State, and one of the friends who accompanied him was the young Fessenden. The great Senator presented him to our people as his *protégé*, and as a young man of ability who had already given high promise of future distinction and usefulness to his country; and Mr. Clay and his friends received him with all the consideration and courtesy due to his rising merits and the generous indorsement of his illustrious friend and patron. The warm greeting of the people of Kentucky and the witching hospitalities of Ashland made a lasting impression upon Mr. Fessenden.

Mr. Webster had been previously made by him his political leader and instructor, and from that visit he fully associated Mr. Clay; and he proved himself one of the ablest and most faithful of their disciples, firmly held the respect and confidence of both to the end of their lives, and in his career fully responded to the high estimate and hopes which they so early formed of him.

I first met Mr. Fessenden in the House of Representatives at the December session of 1841, and there served with him through the Twenty-seventh Congress. A community of political principles and policy, and of admiration and friendship for Mr. Clay, brought Mr. Fessenden and myself into close and frequent contact. We often interchanged views upon political and miscellaneous subjects, and we formed and cherished mutually sentiments of respect and friendship. He was not only a young man of eminent ability and attainments, but he was warm-hearted, frank, sincere, true, honorable, and eminently conscientious. His health was then good, and he was always bright and genial; sometimes he showed the lambent play of passion and fire. He was an especial favorite of Mr. Clay, and the Kentucky delegation of both Houses; they were

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proud that the distant Northeast had sent to Congress a friend and follower of their great leader, himself of such rare merit. That leader and all the members of those delegations but three—Underwood and Andrews and Davis—were borne to their graves before Fessenden. He held firmly the true and high regard of those who went before and of those who follow him.

Mr. Fessenden brought to the study of our Constitution and system of government a vigorous and discriminating intellect, an exalted conscientiousness and moral sense, a pure and fervid patriotism, and great physical and moral courage; and he learned and comprehended and maintained their truth, principles, and philosophy. He knew and realized that ours was a government of written language, of provisions, of practical principles, and not of abstract ideas; that it was formed by the States, and the people of the States delegating by a written Constitution to a magistracy to be organized and chosen for the United States some enumerated powers of government, and retaining to themselves all others; and that the powers thus organized were divided into legislative, executive, and judicial, and each class of them vested in a separate and co-ordinate body of magistracy, intended and framed to be checks upon each other, and each to guard and defend the integrity of the Constitution and the liberties of the people against the other departments and all assailants. He knew that the powers of the Government could not be augmented or altered or amended by arms or war or conquest, but only by the authority and in the mode prescribed by the Constitution itself; that all the powers of Government which the people of the United States intended to imbody and to be exercised by Government they had divided by the Constitution between the Government of the United States and the several States; and that political sovereignty did not appertain to either of those governments, or to all of them, but to the people only. That the powers of the Government conferred upon it by the Con-

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stitution, and the acts of Congress in conformity to it, were the supreme law of the land; but all other powers, authority, and laws were of the reserved sovereignty of the people of the several States. Mr. Fessenden's reading of the Constitution and political philosophy clearly taught him that the Government of the United States is built upon the States and their governments partly, and their continuance is necessary to its existence and operation; that it might cease to act, be dissolved, or abolished, and they remain completely organized and administered.

After the insurrection had broken out in such grand and threatening proportions, the absorbing object of Mr. Fessenden became to be its suppression and the holding of all the States together, *fas aut nefas*, under the same Government. He was sincerely and strongly attached to the Union of the States for the great and common good which it brought to them all, but its paramount importance to his own State and section made that sentiment with him an intense passion. Their remote position and natural poverty and weakness were such that a disruption of the Union would have been to them one of the greatest calamities; and he firmly resolved that if he could prevent it, they should not be left out in the cold Northeast. He therefore gave his earnest support to all the measures of Mr. Lincoln's administration for the suppression of the rebellion. His excited apprehensions were continually uttering to his soul and sense the strong language of the day: "the life of the nation has been assailed with tremendous forces, and by all law it has every right of defense and self-preservation." Such was the view which Mr. Fessenden took of this mighty national throe.

But with him the war upon the part of the Government and the adhering people of the United States was not and could not become a war of subjugation, of conquest, or of the demolition of the States whose people had risen in rebellion, but was war only to suppress insurgents and rebels and to uphold and

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enforce the authority and laws of the United States; and when those ends were secured, guilty leaders and individuals might be visited with personal punishment for violations of law; but the war could no longer be legitimately continued for any purpose whatever. Mr. Fessenden voted in the most solemn form for these propositions:

"That the present deplorable civil war has been forced upon the country by the disunionists of the southern States now in revolt against the Constitution and Government, and in arms around the Capital; that in this national emergency Congress, banishing all feelings of mere passion or resentment, will recollect only its duty to the whole country; that the war is not waged upon our part in any spirit of oppression, nor for any purpose of conquest or subjugation, nor purpose of overthrowing or interfering with the rights or established institutions of those States, but to defend and maintain the supremacy of the Constitution and to preserve the Union with all the dignity, equality, and rights of the several States unimpaired; that as soon as these objects are accomplished the war ought to cease."

These noble words breathe the very spirit of our constitutional form of government, and the deep, truthful, and earnest spirit of Mr. Fessenden, at least, meant all they express. He knew that the Government of the United States had no power under any state of things to abolish a State or its government, or to take any action upon the assumption or hypothesis of such destruction. He understood clearly that it was the duty of the United States Government to uphold, defend, and preserve the States and their governments as parts of its own essential machinery; and if his conservative, constitutional, and enlightened statesmanship could have prevailed, the storm of civil war would have swept over the country, and as it passed away the governments of the United States and every State would spontaneously, by the *vis vitæ* of our system, have resumed their proper positions and relations; and peace, order, prosperity, and liberty would soon have blessed again the whole land.

The statesmanship of Mr. Fessenden was more moderate and virtuous, wiser and more patriotic, than that propounded by the Mountain faction of Congress and the country, and which his party slowly accepted.

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As the contest raged with varying fortune the passions of the people became stirred to their profoundest depths. Men of weak understandings, of violent and wild passions, of attractive but mischievous theories, of selfish and sinister purposes, threw themselves everywhere in the lead and called for the extremest measures. The maddened people listened to them, accepted their leadership, were fascinated by their diabolical counsels; and after that people had put down the rebellion those architects of revolution and ruin, still holding the country under their spell, inaugurated their wild work.

The time had come for passion to give place to reason; when the voice of reason must be potential to save our constitutional form of government. Mr. Fessenden, and other men entertaining similar views, vainly sought that hearing, even in the Senate Chamber. The spirits of revolution and ruin here, at first few, continued to grow in numbers and audacity as not only to silence Mr. Fessenden and his small band of associated conservative Republicans, but ultimately to hitch them on to their triumphal car and to drag them along in their destructive career, even to support the overthrow of our Constitution and form of government by what is called the reconstruction acts of Congress. Mr. Fessenden clearly saw the abyss before him; he was to separate from and turn upon his party or take the fatal leap; unfortunately for his own pure and enduring fame, and for his country, he accepted the latter.

But Mr. Fessenden's conservatism and devotion to the Constitution led him into many struggles with the excesses of his party and its more reckless leaders. No party man ever dissented oftener or more essentially from his party or rebuked with more ireful but manly scorn its arrogant leaders who abused its trust in the promotion of their own selfish purposes to the detriment of the country. His separation from them on the impeachment of the late President is a grand testimony in support of his correct comprehension of the Constitution, of his true statesmanship, of his stern sense of duty, his great

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moral firmness, and his exalted patriotism. The muse of history will write this chapter of his life in characters that will never fade; it will be a more imperishable monument than marble or brass, and upon it will be inscribed: "The ablest and purest statesman of New England in his day and generation."

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REMARKS OF MR. VICKERS, OF MARYLAND.

*Mr. President:* I have listened with melancholy interest to the recital of the prominent traits in the character and history of a deceased Senator and to the eloquent eulogies that have been pronounced upon him. Those who knew him best, had served longer with him in public life, and enjoyed more intimately his social communion, can more fully appreciate his public character and intellectual and moral worth. My acquaintance with him was recent and limited, and my opportunities less, of forming a correct estimate of his ability and merits; but his long and eminent career in the public service and his conceded talents made a favorable impression upon my mind long before my induction into public life. After my admission into this body I marked his course and listened to him in debate with more than ordinary attention. To me he appeared in some sense the Nestor of the Senate. His grave and thoughtful brow and dignified mien produced sentiments of veneration, while his words made a deep impression. More than once I privately appealed to him to speak more audibly, for on my side of the Chamber we desired to distinctly hear and understand him. He told me that his habit was acquired in the old Senate Chamber, where any one could be heard without difficulty.

I consider it no disparagement to Senators to say that he was one of the most accomplished and logical debaters among us. He was also, what is more rare, a good listener, and did



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not often occupy the floor. It was only upon occasions of importance that he rose to a discussion, and when he finished the debate frequently was virtually ended; the strong points were seized and analyzed, and when they had passed through the crucible of his understanding the pure metal was easily discerned. Although I differed with him on some subjects of national moment, yet when I considered his education, section, habits, and associations, I could not doubt his sincerity or his patriotism. The materials which a life in the nation's service had enabled him to collect he had an aptness and facility in using which gave him great advantage in discussion. His efforts had the appearance of fluency and ease, while his command of appropriate expressions impressed the minds of his hearers with his great ability. His style was not ornate or diffuse, but he possessed the power of concentration and force, as well as of classical taste, that outweighed the metaphorical and beautiful. If true eloquence consists in great will, great courage, great intellect, and the power that controls the judgment, then he was an orator of the first class; or if to be worth much, speech must begin like a river and flow and widen and deepen until the end, he possessed that attribute also. On some occasions, being warmed by the subject and circumstances, he spoke with an animation and cogency which exhibited his higher powers of argumentative eloquence, though ordinarily Homer's description of the oratory of Ulysses might be partially applied:

> "But when he speaks what elocution flows,
> Soft as the fleeces of descending snows."

It may be said of him what was once remarked of a distinguished French orator, that he said just what he meant to say, and like an expert navigator he steered his words and his ideas through the shoals which beset him on every side, not only without going to wreck, but without ever running aground. In a word, he was an experienced and wise states-

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man, an eloquent and methodical debater, with powers of reasoning rarely equaled or excelled.

On a momentous and memorable occasion he uttered sentiments which, like jewels of brilliancy and value, will be treasured by the virtuous and the patriotic, and were worthy of the Fathers of the Republic. He said:

> "A desire to be consistent would not excuse a violation of my oath to do impartial justice. In the words of Lord Elden, I take no notice of what is passing out of doors, because I am supposed constitutionally not to be acquainted with it; and I should consider myself undeserving the confidence of that just and intelligent people who imposed upon me this great responsibility, and unworthy of a place among honorable men, if for any fear of public reprobation and for the sake of securing popular favor I should disregard the convictions of my judgment and my conscience."

These declarations were worthy of a Roman senator in the palmiest days of the Republic; they are eminently worthy of an American Senator and jurist, and indicate the sterling worth and purity of the man. No prouder monument need be erected to his fame. His firmness and decision under the trying circumstances reminded me of the reply of the noble Duke of Somerset to James II of England, who had told him that he was above the law and would make him fear him: "Your Majesty may be above the law, but I am not, and while I obey the law I fear nothing."

But he has left us. When I last saw him he was in apparent health, and filled his place and performed his duties with his accustomed fidelity. A few short months brought us the telegraphic information that he was sick, ill, dead! Upon my mind it fell like an electric shock, and I could scarcely realize its sadness and solemnity. The Bible informs us that some "shall die like men and fall like one of the princes." He has verified it, for a great man has fallen, and William Pitt Fessenden sleeps with his fathers; but his usefulness and reputation survive, and the historian will pay an exalted tribute to his memory. Let us be admonished, Senators, that we, too, are frail and mortal and may soon be called to pay the same debt

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of our common nature; that we owe high duties to the state, those of charity and forbearance to each other, and a responsibility to the great Ruler of the Universe for the faithful discharge of every public and private duty.

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REMARKS BY MR. HAMLIN, OF MAINE.

*Mr. President:* The truthful and appropriate words which have been spoken by Senators in honor and memory of my deceased colleague have left but little to be added. So full and generous have been their expressions of his distinguished ability, his services in the councils of the nation, and his high moral worth, that necessity would seem to require no word from me; but duty and inclination impel me to pay a brief but sincere tribute to his memory and his worth. That he has been thus appreciated by the Senators with whom he served is gratifying to the people of the State he represented, which State he so highly honored, as it had honored him, and doubly gratifying will it be to his family, relatives, and friends who shared most intimately his confidence and friendship, and who most deeply feel and mourn his loss.

My estimate of my late colleague has been formed by long years of association with him. I was a student at law in his office, and practiced with him for a time in the same courts. We served together as members of the Legislature of our State, and for many years were together Senators here. The purity of his life challenges and commands our admiration and furnishes an example for all to imitate.

He was alike eminent in his profession of law and in the Senate, standing in the foremost ranks of each. I do not deem it necessary or even appropriate to attempt a reference in detail, after so much has been said by Senators as to his varied ability or specific public acts; it could be but a repetition. The impress of his mind is indelibly stamped upon the laws and policy

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of the country. As a parliamentary debater he was without a superior, and in one regard without a peer.

He lived and acted at the most important period of our country's history, when the events of a century were compressed into a single year and requiring minds of no ordinary character to deal with and give them direction. It was a time, too, that taught us all more clearly that the duties and victories of civil life are as comprehensive and important as those of arms, and that the distinguished statesman who aids in wisely directing the councils of the nation should at least be held in as cherished remembrance as he who successfully commands our armies in the field in time of war. Their several duties and responsibilities are unlike, but equally important. Indeed, whatever may be the public estimate, in my judgment the eminent statesmen, prominent in legislation, who give form and shape to the laws that govern, and who impress their genius and ability upon them, occupy a position as important—may I not say of higher importance—than he who executes or gives them construction. Such I believe is the position which a dispassionate public judgment, such the position that the historian will assign my late distinguished colleague, who in the inscrutable providence of God has been summoned from this earth, and whose manly form now reposes with the drapery of the grave around it.

Mr. President, there are events connected with the Senate which the solemnities of the occasion seem to impress upon me with peculiar force, and to which I may appropriately refer. I run my eye over the Senate Chamber to-day, and of all the men which constituted the body upon my entrance into it as a member but a single one—but a single one now remains with me. That one is my honored friend, the Senator from Pennsylvania who sits nearest to me, [Mr. Cameron;] and it is no slight compensation for the annoyance incident to public life to know that intimate and most friendly relations which were then formed in all changes and antagonisms of public life have never for one

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moment been disturbed. Could we have been transferred from that time to the present, from the Senate as it then was to the Senate as it now is, how startling would be the change! We would find ourselves in association with those who would be strangers to us. It teaches a moral that all may heed.

During the period of time referred to, the Senate has certainly been graced by many of the most eminent and distinguished American Senators. Clay with his clarion voice and fervid eloquence; Calhoun with his captivating manner and subtle metaphysics; Webster with his words of masterly power; Benton with his comprehensive knowledge of the legislation of the country, and an indomitable will; Douglas with an earnestness and courage to meet and if possible to overcome all obstacles in his way; and Collamer with his plausibility to persuade and his learning and his logic to convince; and Cass and Clayton, are certainly some of the Senators whose names stand highest upon the roll of senatorial fame. Their names, and others that might be designated, will be remembered while the Republic or its history shall exist; and to this list is now to be added the name of Fessenden, my late colleague. There it will remain imperishable as one of the great American Senators.

## ADOPTION OF THE RESOLUTIONS.

The resolutions which had been submitted by Mr. MORRILL, of Maine, were unanimously agreed to.

On motion of Mr. HAMLIN, of Maine, as a further mark of respect to the memory of the deceased, the Senate adjourned.

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# PROCEEDINGS

IN THE

# HOUSE OF REPRESENTATIVES.

MR. GEORGE C. GORHAM, the Secretary of the Senate, appeared at the bar and said: I am directed to communicate to the House of Representatives information of the death of Hon. William Pitt Fessenden, late a Senator in Congress from the State of Maine, with the proceedings of the Senate thereon.

The SPEAKER. The proceedings of the Senate will be read.

The Clerk read as follows:

IN SENATE OF THE UNITED STATES,
*December*, 14, 1869.

*Resolved*, That the Senate receive with deep regret the announcement of the death of WILLIAM PITT FESSENDEN, late a member of this body.

*Resolved*, That the members of the Senate will manifest their respect for the memory of the deceased by wearing the usual badge of mourning.

*Resolved*, That these proceedings be communicated to the House of Representatives.

## REMARKS BY MR. LYNCH, OF MAINE.

*Mr. Speaker:* The message just received from the Senate announces that another of the distinguished statesmen of the country has passed away; and although the sad event occurred many months since, and has been heralded to the country by the pulpit and the press, it is eminently proper that in these halls, where he has exerted such a controlling influence, and at this time when on assembling together we miss his presence from our councils and begin to realize the nation's loss, we should pause from our labors, and, consecrating a day to his memory, pay a tribute to his virtues.

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For myself, sir, I have never so fully recognized the loss sustained by our country, my State and my own immediate constituents, as since I returned to my labors here; for although he was my neighbor and my friend, yet it was during the sessions of Congress that I was most closely and intimately connected with him. Indeed, since his election to the Senate, it was in discharge of his public duties here that most of his active life was spent.

At home he lived quite retired, passing most of his time with his family and in his garden and library, mingling but little with society and avoiding all excitement. His close application to his duties here during the sessions of Congress, which were never interrupted except by sickness while he was a member of the Senate, made such draughts on his naturally feeble constitution as to render it necessary for him to recuperate mentally and physically during the recess.

A slight departure from his usual course in this regard probably induced the attack which terminated his life. His sickness lasted but a few days, during which time the hopes and fears of his friends alternated, until the morning of September 7, when he began gradually to sink away.

"His sufferings ended with the day,
Yet lived he at its close,
And breathed the long, long night away
In statue-like repose!

"But when the sun in all his state
Illumed the eastern skies,
He passed through glory's morning gate
And walked in Paradise."

He died in Portland at his home, which he loved so well, and surrounded by his family and friends, who were so dear to him, at twenty minutes past six o'clock on the morning of September 8.

Mr. Fessenden, though born in the State of New Hampshire, (October 16, 1806,) was from his earliest childhood a resident of Maine. In that State he received his early train-

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ing and his collegiate education, and it was in the public service of that State that he acquired reputation as an able statesman.

Admitted to the bar before he had attained his majority, he rose rapidly in his profession, and at the time of his withdrawal from it into political life had no superior at the bar in Maine, and very few in the country. Candid, straightforward, and direct, clear in his statements and logical in his arguments, he had great influence with court and jury; and it was these qualities which, brought into exercise in the forum of the Senate, gave him such commanding influence in that body.

He loved his profession, and left it reluctantly for the more exciting and arduous duties of political life. Identified with the Whig party, which, being in a minority in the State and nation, felt the necessity for putting forth its ablest champions, he found it difficult to resist the demands made upon him by his political friends; and in 1831 he was elected one of the representatives from the city of Portland to the Legislature of Maine; and although the youngest member, he soon rose to distinction in that body and in the State.

It was during this period that the United States Bank question was agitating Congress and the country, and resolutions were introduced into the Legislature instructing the Senators in Congress from Maine to vote against re-chartering that institution. Mr. Fessenden made a speech against the resolutions, which is remarkable not only for that peculiar power which distinguished his subsequent efforts, but more remarkable still as embodying his views of the duties and responsibilities of a Senator of the United States, and as laying down those opinions and principles which governed his own action in that high position. Some passages of this speech so strikingly illustrate his character, and shed so much light upon his course as a public man, that I cannot forbear quoting them



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here. Speaking of the proposition to instruct Senators in Congress by State Legislatures, he said:

"They have much better opportunities to give the question full, fair, and thorough examination than we can possibly possess. They, too, are acting under the sanction of an oath, and they have, therefore, stronger inducements to give this matter, as they are to pass upon it, such an investigation as it deserves.

"Sir, I have no doubt that our Senators in Congress entertain these views. I should hesitate to believe that, in the discharge of their high and important trust, they would, on questions of great importance to our whole country, yield up their honest convictions and violate their oaths, simply to comply with the directions of any set of men whatever. I am free to confess, sir, that I would not thus act. On questions of mere local interests, interests connected with themselves alone, my constituents have a right to instruct me, and I am bound to obey their instructions.

"But, sir, on questions of general interest I have a higher obligation; I am bound to examine and judge for myself, to form my own opinions, and to act upon them, and them only, on a question of this kind. Sir, did I know that the opinions of every one of my constituents differed from my own, if I acted at all, I would act according to my own honest convictions of right, were it directly in their teeth. Those whom I represent, sir, would despise me if I acted otherwise. No, sir; I might in such a case resign my office, but I would never violate the dictates of my own conscience. I am willing to be the servant of the people, but I never will be their slave."

How clearly and distinctly these words foreshadow the last prominent act of his public life.

If his constituents were disappointed in his vote on the impeachment trial, they were at least fairly warned of the principles which would govern the man whom they chose to represent them. Differing with him in his vote on this question, believing then as I still believe he reached wrong conclusions, I cannot too strongly express my admiration of the high motives by which he was governed. And, sir, whatever difference of opinion may exist in regard to the duty of Representatives of States or districts to obey the expressed will of their constituents, all who appreciate true manhood must admire the character of him who in youth avowed these manly principles, and consistently and courageously lived up to them against whatever temptation to the day of his death.

The same high tone is characteristic of the man who in early life spoke these brave words; and this character of perfect integ-

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rity and conscientiousness impressed itself upon all with whom Mr. Fessenden came in contact. His speeches were never sensational; clothed in plain, simple language, they were severe in their logic, apt and pointed in their application, and wonderfully effective in their influence. He seemed to follow the maxim of Solomon, that "it is an honor for a man to cease from strife, but every fool will be meddling;" for he never dissipated his power in angry wrangling, or in stump speeches on current topics, but reserved his strength for emergencies when it was required; and however sudden and important the occasion, he was always found ready and fully armed. Making no pretensions to oratorial powers, and seldom speaking to popular assemblies, yet few could command closer attention, or at times rouse an audience to a higher pitch of enthusiasm.

He never spoke unless he had something to say, and never electioneered for the votes of his constituents by talking buncombe from the floor in Congress, or writing it for newspaper publication. The small arts of the demagogue he disdained to use. He never flattered the people to obtain their votes.

> "He would not flatter Neptune for his trident,
> Or Jove, for his power to thunder."

He had great influence in the body of which he was a member; which is proof that he was really a great man, for none other could acquire and retain the influence which he exerted over such a body of men as compose the Senate of the United States.

This influence was largely due to the confidence which his high character inspired in those with whom he was associated. Every one felt that whether Mr. Fessenden was right or not, he believed himself to be so, and could give a reason for the faith that was in him in a plain, simple, quiet way, that commanded respect, if it did not produce conviction. He did not seek to persuade and argue people into his way of thinking. He only stated his convictions and the reasons for them, leaving those he addressed to decide for themselves on the issues presented.

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He had great order, not only in all business matters, but in his mental processes. Whether in his library at home, or in his committee-room or private apartments here, this same order was observed. There were no piles of books and manuscripts, no confusion of papers, but all the surroundings were clear, clean, and orderly as the mind that presided over them. He kept himself unencumbered of all waste material, weeding out and rejecting everything superfluous, and retaining only the useful. Before making a speech he thought out and thoroughly analyzed his subject until his mind had reached a distinct conclusion by logical and correct methods, and then stated in the simplest language what that conclusion was, and how he had himself arrived at it. His construction of a speech was like the building of Solomon's temple; you heard neither the sound of the hammer nor saw the *débris* of the workmen, but every stone was taken from the quarry ready fitted to its place, and the building rose silently and rapidly from foundation to capstone. He was a man of exceedingly sound judgment, examined everything brought to his attention critically before he decided upon it, and never signed any paper without carefully reading its contents, and when he did not fully agree to its statements, qualifying his approval.

Mr. Fessenden first took his seat in the Senate of the United States in 1854, when the agitation of the slavery question had nearly reached its culmination. He immediately took a prominent part in the senatorial discussion on this subject, resisting manfully the aggressions of the slave power, and repelled with spirit the insolence of its advocates, teaching them that they were engaged in a conflict in which there were "blows to take as well as blows to give." It was in these discussions that Mr. Fessenden's talents as a ready and forcible debater were most conspicuously displayed; and with all his reputation for conservatism, an examination of his record will show that in the great contest in which slavery was destroyed, while freedom had fiercer and more violent champions, it had

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none steadier, truer, or more reliable than William Pitt Fessenden.

After a thorough examination of his congressional record, I cannot find where, from the beginning to the end of this conflict, from the abrogation of the Missouri compromise to the last act of reconstruction, he ever yielded one essential point in favor of slavery. He was not a reformer, not a man to attack existing evils in the state; but rather inclined to suffer from them while endurable than to disturb the existing forms by which they were protected. But he resisted all new concessions to slavery, and when he saw that the safety of the nation demanded its destruction he aimed to do the work thoroughly and effectively.

In the debate on the admission of the Senators from Arkansas in June, 1864, he stated the foundation principles which guided the policy adopted for reconstructing the rebel States. This not only illustrates his habits of reflection on questions of public importance long before they arise, but a comparison of this speech with the report of the Committee on Reconstruction will show a remarkable similarity of thought and purpose, and that report has been essentially the basis of this great work—the most difficult and important ever committed to a legislative body—which is now happily near its completion.

Without according to the common judgment, popular sympathies, and therefore not what would be called a popular man with the people, he was nevertheless six times elected to the Legislature of Maine; once—in 1840—elected to this House from a district in which his party was in a minority; and was three times elected to the Senate of the United States—in 1854, 1855, and 1859—by the unanimous vote of his party in the State Legislature, attesting the high appreciation by the people of his State of his pre-eminent abilities as a statesman and of his sterling qualities as a man.

As chairman of the Finance Committee of the Senate he took a leading part in shaping the legislation that provided the

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"sinews of war" during the rebellion, and although his natural conservatism often led him to hesitate to adopt some of the financial measures which the emergency required, his doubts always yielded to the necessities of the case, and he maintained from the first the right of the Government to adopt any measures however arbitrary to preserve its existence. At a most critical period of the war, July 6, 1864, after having performed the arduous duties of his position in the Senate for nearly eight months, worn down with fatigue and suffering from physical exhaustion, he was called by President Lincoln to the Cabinet as Secretary of the Treasury. And as he expressed himself in a letter to a friend at that time: "At whatever risk of health or reputation, I am compelled to accept. I dare not take the responsibility of declining at such a crisis."

Making no pretensions as a financier, and having no particular policy or theories on the subject of finance, he had what in such a crisis was vastly better than either—a character to inspire that confidence which is the soul of credit, and an abiding faith in the ability and determination of the American people to sustain their Government. With an apparent stagnation in military movements, the people, heart-sick with "hope deferred," an army to be recruited, maintained, and paid; with demands pressing for payment on an empty Treasury, few men ever assumed weightier responsibilities, and none ever met such more manfully, or discharged them more honestly and successfully. He immediately put himself in communication with the capitalists of the country by calling a meeting of bankers at New York, stated to them in a straightforward, business-like manner the financial condition and needs of the Government, his desire to gather opinions from all sources, and listen to advice from any who might offer it.

Although this meeting tended to strengthen the confidence of capitalists in the new Secretary and to improve the national credit, as was seen in the immediate decline in gold, it failed to provide the needed funds. His next step was to issue an appeal

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to the people of the United States, reminding them that it was their war; that they had proclaimed it and carried it on thus far; that if they now contributed their money to continue it, the end was not far distant, as the rebels were nearly exhausted. If they kept their money for speculations and gold gambling they might make larger immediate incomes for the time, but they would lose that without which no investments would have any value—the prosperity of our institutions and the safety of the nation. The response to the appeal was electric. Money, which had been locked up, came forth into the market, and the wheels of trade began to move again. The press of the country seconded the efforts of the Secretary with its powerful influence, and the $200,000,000 authorized by law were speedily poured into the Treasury.

Mr. Fessenden's idea was that the cause could not be gained unless the people were determined to gain it, and an appeal to their purses would be the shortest road to ascertain the true extent of their energies and determination. At the beginning of his administration of the Treasury in July, 1864, gold was 270 to 280. When in March, 1865, he left it to resume his seat in the Senate, it had fallen to 198, and the national credit was correspondingly improved. I know it is said that financial success during the war depended upon military success, but is it not equally true that military success depended upon financial success?

At the period I have referred to the former followed the latter. I have dwelt at some length upon this brief period in the public life of Mr. Fessenden, because I have always felt that the services he so quietly and unostentatiously rendered the country at this critical juncture had never been duly appreciated, and also because it illustrates particularly his most valuable traits of character: his comprehensive statesmanship, his unselfish patriotism, the readiness and availability of his powers in a case of emergency, and his firm, abiding faith in the patriotism of the American people. Holding positions in

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the Government which afforded him great opportunities to enrich himself, he was never suspected of prostituting them to that purpose. With abilities that would have brought him large wealth in his profession, he gave his time to the service of his country, and left that service as poor as he entered it.

I regret to feel that such virtue in a public man calls for special commendation. The worst enemy of Mr. Fessenden never dared question his scrupulous integrity. He was indeed God's noblest work, an honest man. He appeared to regard with supreme indifference criticisms on his public acts, seldom betraying any emotions or taking any pains to correct public opinion when he was assailed or his motives misjudged; yet he was not unmindful of the approbation of his fellow-men, but was governed by the conviction that it could best be permanently secured by deserving it.

To say that Mr. Fessenden had no faults would be to claim for him exemption from the frailties of humanity; but his faults were not of the meaner, but of the nobler kind,

"And ev'n his failings leaned to virtue's side."

In manner he was cold, reserved, and somewhat aristocratic, communing little with his fellow-men. His private life was retired and unostentatious. He had but few intimate friends, and shrank almost instinctively from that general acquaintance and notoriety in which persons differently constituted find delight; but for those who did enjoy his confidence and esteem, his friendship, though not demonstrative, was strong and enduring; and by such he was admired and beloved, and it was difficult for them to understand how he could be regarded as cold and selfish. They saw in the cold exterior and somewhat proud reserve a manly independence and a contempt of meaningless or hypocritical professions, and beneath it a generous nature and a warm heart.

Such, sir, is the man whose life and services we this day commemorate and whose loss we mourn. The nation has few such

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to spare from its councils. May we emulate his virtues, and so live and serve our country that when we depart we may deserve from it the plaudit which is to-day so heartily bestowed on our departed friend, "Well done, good and faithful servant."

Mr. Speaker, I now offer the following resolutions:

*Resolved*, That this House has heard with deep sensibility the announcement of the death of Hon. William Pitt Fessenden, a Senator in Congress from the State of Maine.

*Resolved*, That as a testimony of respect for the memory of the deceased the members and officers of this House will wear the usual badge of mourning for thirty days.

*Resolved*, That the proceedings of this House in relation to the death of Hon. William Pitt Fessenden be communicated to his family by the Clerk.

*Resolved*, That as a further mark of respect for the memory of the deceased this House do now adjourn.

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REMARKS BY MR. PETERS, OF MAINE.

*Mr. Speaker:* I rise to second the resolutions. I cannot let the occasion pass without adding a few words to the record in memory of a man for whom I entertained so much respect and admiration as I did for the late Senator from Maine. But little can be added to what has been said, in the public press and public addresses, of the history and character of the statesman whose death the people of his own State and the country at large at this time so sorrowfully mourn.

William Pitt Fessenden had a reputation for ability varying but little with classes of men, or in periods of time, and it has been by someone truly remarked that the characteristics exhibited in his congressional life were conspicuously displayed by him at the early age of seventeen. In his earliest professional and political career he took a place in the front rank of eminent public men and easily held it to the end.

In his earlier life, and for a long period of time, the practice of the law was his delightful avocation. He had a natural



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legal mind. He would have excelled in all respects as a judge, and I have reason to believe that for many years he entertained an opinion that it would have satisfied his tastes and inclination to have occupied a place on the bench.

Until the formation of the present Republican party of the country having his associations with the Whig party as a compeer of George Evans, of Maine, and an admirer and close friend of Daniel Webster, of Massachusetts, although highly esteemed by his Democratic opponents, he found them almost always too strong an opposing organization to allow him to obtain any considerable political place. Portland, however, sent him as her local representative to the State Legislature, and in the great upheaving of politics in 1840 he was elected for a term as a Representative in the Congress of the United States. Unfortunately for the old and respectable Whig party, its muniments consisted more in idols than in success; and while Mr. Fessenden was for many times and many years its candidate for United States Senator, it was not until the Democratic party in Maine had become overthrown upon the issues growing out of slavery that he reached that eminent elevation. In this legislative forum he secured for himself a proud and enviable fame. To say nothing of the powers of his mind as impressed upon other legislation, his report as chairman of the Joint Special Committee on Reconstruction will be an enduring monument to his memory. Its clear statements, fairness of proposition, and sound reasoning swayed the public mind at a critical moment in the affairs of our country when we could not see our way clearly through the perplexing questions which beset us. I recollect well its powerful effect upon the minds of those in my section of the country who were inclined to look upon our prospects and situation with dissatisfaction. It was unanswerable. His eloquent friend, Hon. James S. Pike, thus well characterizes it:

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"Mr. Fessenden's report on reconstruction stands as the ablest political document drawn during the war, and if it does not exhibit initiative, it displays what is better, namely, a clear comprehension of a wholly novel political situation, a masterly interpretation of its phenomena, and a lucid exposition of the true method of treatment of a vast and perplexing national disorder."

Although Mr. Fessenden in some quarters has been called cool and conservative in meeting the issues of peace succeeding war, I have abundant reason to believe that at that time he would have gone beyond the recommendations of his report, and in the direction we have since taken, but for the counsels of men esteemed more radical than he that the moment for it had not arrived.

As an advocate or debater Mr. Fessenden's qualities could hardly be surpassed. He had clearness, directness, and earnestness, impelled by great mental force. His mind worked with the smoothness of machinery, without friction or chafe; his perceptions were clear and exact, and so clearly did he see the truth or falsehood of almost every proposition, that he may have been impatient at times with the workings of other minds which moved with less rapidity and thoroughness than his own. It was said of an eminent British orator that his intellect was all feeling and his feeling all intellect. I have often thought of Mr. Fessenden that his feeling was but intellect, for when his mind was enkindled to a blaze in the cause he advocated, all the qualities of his head and heart seemed to conspire to furnish the intellectual and magnetic force commanded by him. His style was simple and unstudied, but marked by fine taste. He disliked all attempt at display, and had no ear and but little toleration for a person whom the great dramatic poet describes as "drawing out the thread of his verbosity finer than the staple of his argument;" quick, though cool and cautious, and in purpose independent and bold. No man gained an advantage of him by personal assault; he would strike upon the weak point of his adversary with unerring aim and resistless force.

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One of the crowning traits of his character was sterling integrity. His actions and motives were clear, transparent; his conduct was not based upon a formulary of morals such as in practice would satisfy the requisitions of society and obtain the approval of the world, but an absolute and profound love of truth was born in him, to which, through a long life, in all public and private relations, he most rigidly adhered without feeling even a temptation for departure from it. His intellect, as well as heart, was honest. He had the unbounded respect of all the courts within the jurisdiction of which he was known. An ex-chief justice of Maine once told me that Mr. Fessenden submitted a case at law to the court and argued it with great force; afterward, upon reflection, he became doubtful of the value of the proposition he had maintained, and was unwilling that he should be considered as abiding by it, and so called up the case to qualify the views he had submitted; notwithstanding which, and all his frankness, the court decided the case upon the objectionable point in his favor.

Mr. Speaker, I shall never forget his internal struggles upon the question of impeachment. I saw the deep emotion he felt while his friends were urging, if not demanding, his vote for the conviction of Andrew Johnson. I knew his deep conscientiousness on the subject, and you and I very well knew that wherever the tendencies of his mind and his deliberate convictions carried him, there, without regard to consequences, would he stand forever. It was to him the trying scene of a lifetime. No man in Maine, to my knowledge or belief, ever deliberately offered to cast any imputation of dishonesty upon his proud name and record for that vote. That it to some extent created an alienation of feeling and sentiment toward him cannot be denied. What would have been the result of such alienation upon the question of his re-election as a Senator a year hence was with him a point of the deepest interest. His soul seemed agitated to know whether for the performance of an act, however distasteful to his friends, but

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dictated by his conscience, he should stand or fall in the estimation of his noble and beloved constituents.

He was in a position, as the poet hath it, to—

"Know how sublime a thing it is
To suffer and be strong."

His nature made him a match for any adversity. And here let me say, I have several times since his death noticed in the newspapers a statement that in the earlier stages of the controversy Mr. Fessenden favored the idea of prosecuting an impeachment. Such an assertion is not just to his memory, for I know that at all times and under all circumstances he was strongly opposed to it upon all the grounds of a wise expediency. He has always contended that his action as a Senator upon that memorable occasion would redound to the future honor and prosperity of the Republican party.

What would have been the personal future of our great and beloved Senator had he lived, it is useless now to attempt to predict. In the very prime of his usefulness to his State and nation he has been taken from us. Maine has lost a son who was always to her an idol, and the country has been deprived of one of her most illustrious and gifted men. That intelligent and beaming face, the gentle and modest form, always so erect and undaunted in any forum, the winning conversation, the charm of simple manners, the magnetic personal presence, and the friendly encouragements which so won for him the affection of his friends and associates, will be familiar to us no more. It becomes hard for me to say of such a man, Farewell!

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REMARKS BY MR. BROOKS, OF NEW YORK.

The more we advance along the pathway of life the more deeply do we feel occasions of this sort when we are obliged to take part in them, for death comes nearer to us, and the shafts which hit others will soon hit us.

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I first came here into the House of Representatives some twenty years ago. On looking about me now, I find that there are but four of us left in public life, three of whom are now on the floor of this House. One is the honorable gentleman from Ohio, [Mr. Schenck,] the chairman of the Committee of Ways and Means; another is the chairman of the Committee on Commerce, [Mr. Dixon,] and another the chairman of the Committee on the Public Lands, [Mr. Julian.] Death has struck down all, or nearly all who were then in the House of Representatives; and they who have not been stricken down, have been more or less removed from public life, and are now hardly known to this day or generation.

Hence do I now feel the more deeply the death of one who was not only a contemporary and companion in public life, but also a companion in my own early life. Mr. Fessenden was my friend, associate, room-mate, and bed-fellow in my early boyhood. I grew up with him in the town of Lewiston, then a comparatively small and unknown village in Maine, on the Androscoggin River, on the frontier of civilization, but now a large and populous manufacturing town. He was the teacher of the village school there, while I was a boy in a country store, acting as clerk in the establishment. He, I think, was sixteen or seventeen years of age, a student then in Bowdoin college, Maine, and sent forth to teach in the then small village of Lewiston, where there were but very few inhabitants, and those struggling with the forest and the field, and but little given to literature.

He was some few years older than I, but we were almost the only persons in that village at that time who had a love for books and who were devoted to literary pursuits. Hence our companionship was constant.

No place is more fitted for the education of a young man for public life, or for private life, than the position of teacher of a country school. Accustomed there to govern others, a man soon learns to govern himself, and thus prepare himself for that

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public life in which more important even than the government of others, is the government of himself.

We studied many books together, some of them not now very well known, such as Bigland's History of the World, Rollin's Ancient History, then Russell's Modern Europe, or Plutarch's Lives; and we read through and through the village library, which was deemed magnificent, with its forty or fifty volumes.

We afterward came into competition for public life, though belonging to the same political party. He became a lawyer in Portland, Maine, and I returned there to act as editor of the Portland Advertiser. As young men we were rivals for the public favor, and more or less constantly came into competition for that public favor. I represented the town of Portland in the Legislature of Maine some years before he did, although younger than he was, and I was a candidate for Congress in that district which he afterwards represented in the House of Representatives, though it was largely democratic, by some fifteen hundred or two thousand majority.

In the rivalry for public life, in that contest of youthful ambition, we maintained our social relations with each other; and in the end our ambition was amply gratified; if not there, elsewhere, in all the honors to which we aspired in our early youth.

I have mentioned these facts in connection with myself, though they may seem somewhat personal, in order to excuse the deep feeling which I am showing while now paying a tribute to the friend and companion of my youthful days and my associate afterward in public life.

We met again in this Capitol; he, in the other branch of the Government, and I, in this; and though we had been associated in political feeling and political principles for many years from our boyhood up, we were when we thus met in public life called upon to part company politically. The father of Mr. Fessenden was an earnest Federalist. He was a distinguished

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lawyer of the State of Maine, well known throughout New England, and occupying the highest position at the bar. His father, with his powerful intellect, gradually educated his rising son in the principles of the Federal party, in which he himself had been trained and in which he had felt such a lively interest. When great questions arose here relating to the construction of the Constitution and the administration of the Government, Mr. Fessenden naturally acted upon the principles in which he had been educated, while I followed those which I had imbibed. I cherished profound regard for the clear rights of the States, while he gave a higher respect to the consolidated powers of the Federal Government.

When Mr. Fessenden first entered the House of Representatives as a member, as well as when he took a seat in the Senate of the United States, there were great and mighty men upon the floor of both Houses of Congress. There were in the House such men as McDuffie, Sergeant, Binney, John Quincy Adams, Wise, Cushing, Peyton, Stanley, Evans, and Fillmore. In the Senate there were, or recently had been, such men as Clay, Webster, Calhoun, Clayton, Cass, Frelinghuysen, Wright, Rives, and Leigh. Whoever met and struggled with those men in debate, or in any contest whatever, must have been equal to the occasion or he could not have attained the exalted position which Mr. Fessenden won in both Houses of Congress.

When this House impeached the late President of the United States, I never had a doubt in my own mind what course Mr. Fessenden would pursue. Many of my colleagues here will remember that on repeated occasions I said to them, "There can be no earthly doubt as to the vote of Mr. Fessenden." I knew his devotion to principle as a lawyer; I knew that he would look at the question, not as a politician, not as a statesman, not as a public man, but as a lawyer and a jurist, and I never doubted what his decision as a judge would be. And, sir, his vote upon that question is an act of which his party ought to forgive him; for, in my judgment, the failure of im-

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peachment saved his party from defeat and destruction. As a mere party man I always desired the success of the impeachment project, though as a public man I shrank with horror from the fatal precedent. If impeachment had been successful, and the then incoming President had been called on to distribute the patronage and power of this Government, who could have foreseen the amount of disappointment and bad feeling among the members of the party now in power that would have been the result of that distribution of patronage prior to a presidential election? And if impeachment had been successful the action of the Democratic party in its nominations would have been different. With all our devotion to intellect, with all the love of the Democratic party for its first and foremost men, it would have been necessary and wise for us under such circumstances to select some John Doe or Richard Roe who might have won a success which the distinguished presidential nominee of our party failed to secure. Hence, I say that, in my judgment, Mr. Fessenden rendered high service to his party by voting "no" as a judge, and by thus relieving them from the embarrassing position in which they had been placed by the House. Mr. Fessenden's *beau ideal* of a Senator was well illustrated by the honorable gentleman from the Portland district, Maine, in the extract he read from a speech he made. His unflinching devotion to duty, his love of independence, his fearlessness, his determination to do his duty—no matter what became of himself personally—without regard to anything that might affect him, we have all seen in his action on this impeachment case. We have also seen that the independence which he manifested there amid trial and temptation, he manifested throughout his entire life.

My honorable friend from Portland, Maine, in the course of his beautiful eulogy, took occasion to say that Mr. Fessenden was not eloquent. In that I differ from him entirely. Eloquence, sir, is not mere words. Eloquence is not the pompous



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parade of speech. Eloquence is not emphasis, ejaculation, gesticulation, or intonation. The orator is not he who can roll off periods on sesquipedalian words, or emblazon feeble thought in brilliant rhetoric; but it is he whose mind most powerfully grasps ideas, and with unerring logic, pours them forth in fitting words to the public ear. He who can do that is really an eloquent man; and in that respect, sir, no man was more eloquent than Mr. Fessenden.

Mr. Speaker, the great characteristic of Mr. Fessenden was his individuality, his fearless individuality. He went with his party when he thought it was right, and nothing on earth could induce him to go with his party when he thought it was wrong. No screws of party, no pressure of caucus, no outcry of the public press, no thundering denunciations of the mob, ever affected his conscience or moved him in the least from what he believed his duty to his country; and I commend that independence, that individuality, to all the public men of this day, for it is in that alone they may hope to secure abiding fame as public men. We, who are here to-day in mere party struggles, will pass away and soon be forgotten if that is all we leave behind. Let us therefore endeavor to leave such honest records behind us as those of Mr. Fessenden, who has bequeathed a name to posterity, as well as to his children, which shines as bright as the stars in heaven.

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REMARKS OF MR. DAWES, OF MASSACHUSETTS.

*Mr. Speaker:* The biography of Mr. Fessenden has been spoken in fitting terms, and nothing can be added to the eloquent words of tribute to his talents and worth which have already fallen from other lips. And yet I would like very briefly to give utterance to the feelings of personal as well as public loss with which his death has burdened me. I cannot forget on this occasion that he gave me his hand at the door upon my

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entrance into public life, and that his welcome ripened into a personal friendship, which, however widely we sometimes differed, nevertheless suffered no abatement while he lived. And upon his bier to-day I lay the offering of a stricken friend.

Mr. Fessenden came to the public service first in this House for a single term; many years before I met him here, then a young man of growing fame and toward whose future the expectations of his friends turned with pride and confidence. It was as early as 1841, while the great statesmen of the past generation were still holding imperious sway in these halls and were at the zenith of their fame and influence. He came among them, however, with a mind so well disciplined by early study and professional training as well as public service in his own State as to be able at once to take the foremost rank as a debater even upon that arena, and to make room for himself where the strongest stood. He left the House of Representatives at the end of a single term to return to the chosen profession of his life, with a reputation established for clearness of perception, accuracy of statement, and power of argument hardly equalled even then by any of his compeers. The next ten years of his life, devoted to his profession with signal success at the bar of his native State, taking rank and leadership among those who had rendered that bar illustrious, was nevertheless a constant, though, perhaps, unconscious preparation for that greater work to which he seemed called on his return to the Senate in 1853, and in which, with the exception of the few months he was Secretary of the Treasury, was spent the remainder of his strength and life.

His senatorial career covered the most eventful period in the history of the nation. About him and before his eyes began and were matured those plots for the dismemberment of the Republic which eventually drenched the land in blood. Treason reared its head in the Senate Chamber, and stalked out of the open door with the torch of war in its hand. Firm hands and stout hearts and clear heads alone could stay up against

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the assaults of traitors the tottering government. And among all upon whose part in that great life struggle we look back from the calm and peace of this day, no hands were firmer, no heart was stouter, and no head was clearer than his.

There was no mind in its organism or its culture like his, so completely made for antagonism and argument, and trained, like the athlete for his work, to constant conflict and wrestling. For this reason he seemed to so stand alone among his peers that the sphere in which he worked was left to him, few venturing to dispute his supremacy in it. To this peculiarity of mental structure and discipline is attributable much of that occasion for criticism to which his course not unfrequently gave rise. In debate he so hated sophistry that nothing could restrain him from rending it in pieces, no matter whom he wounded. Subterfuge and pretense in argument were dealt with by him as downright dishonesty and fraud. And sometimes, thinking he saw these phantoms flitting across the field of debate, he would charge indiscriminately upon friend and foe, leaving grievous wounds that were long in healing; and yet self-possession, clearness of mental vision, directness and aptitude of expression, in short, perfect command of thought and language in the most animated debate, were marked characteristics of his mind. In current debate he had but few if any equals. He wielded a Damascus blade that never was broken and seldom parried. With the coolness and deliberation of a surgeon with his dissecting knife, he laid bare every argument that fell in his way, and never left his subject so long as a muscle remained uncloven or a limb unjointed.

He had power, also, to touch the tenderest chord and stir the deepest fountain by his eloquence if fitting occasion required it. Once in debate, all unpremeditated, he was forced to speak of his own personal sacrifices in the war, and his allusion to one son who had fallen and to another who had lost a limb in battle moistened every eye in the Senate Chamber. And when the late Executive, by an insane attempt at

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forcible ejectment from office, crowned his long and bitter hostility to that great Minister of War who had organized victory out of defeat, and wrested national salvation from the very jaws of national dissolution, the defense of Mr. Stanton pronounced by Mr. Fessenden, without preparation, at midnight upon the floor of the Senate, will live forever.

Not less conspicuous than the great ability with which he grappled those mighty questions born of the war, which divided and shook the nation, were the painstaking and fidelity which he brought to the discharge of every official duty, however minute or apparently unimportant. In the dull and painful drudgery as well as in the attractive and exciting or the grave and responsible duties of the statesman, he was equally patient and faithful, performing what each day fell to his lot as if it were his specialty.

To all his work he brought an official and personal integrity that never for a moment encountered a suspicion or a whisper. He trod the devious and doubtful ways of opportunity and temptation with unsoiled feet, and moved amid corruption and scandal with raiment untarnished. When recently his convictions of public duty caused him to separate so widely from political associates and personal friends that permanent alienation seemed inevitable, the universal tribute to personal integrity which was heard above the tempest stilled at last the waves of public indignation, and plucked reconciliation from the unrelenting lips of denunciation itself.

At his decease Mr. Fessenden was chairman of the Committee on Appropriations in the Senate, and it was in the discharge of his official duties as such that I last met him. My intercourse with him in that capacity has profoundly impressed me with the loss the nation has sustained in his death. His great familiarity with every detail of his multiplied work, his scrupulous care, and, over and pervading all, his fearless integrity, were qualities it is not easy to supply.

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I have not spoken of any great public measure with which the name of Mr. Fessenden is identified. In the grand rebuilding of the national structure upon the ashes of the rebellion he worked faithfully and wisely. But if he originated less, he fashioned more. Measures which others introduced lost none of their inherent value under his molding and polishing hand; and no blot or blemish, no flaw or failure, can be traced to his folly.

Of the great statesmen who have finished their work and departed, Mr. Fessenden will stand alone in history. The proud niche his name and fame will fill was made by and for himself, and no one can reach or occupy it with him. Such was the structure of his mind and such his habits of thought and work that he could not always co-operate with others. That liberty of independent thought and action which he always asserted permits us in this hour to put on record our differences with him and our sorrow for their consequences. But as "it is the angles of the diamond which give it its beauty and its brilliancy," so these differences will not impair a just estimate of the life and character of a great statesman except it be in the mind of him, the dead unbroken level of whose pathway has never led him to experience the "agony of a doubt or the luxury of a conviction."

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REMARKS BY MR. HALE, OF MAINE.

*Mr. Speaker:* I speak as a young man who admired and revered William Pitt Fessenden. Twelve years ago, when I cast my first vote, he was an honored Senator from the State of Maine. In that State his life had been passed, and his education and experience had been such as to eminently fit him for the high place which he then filled.

He was a graduate of our oldest college, had chosen the profession of law, been admitted to practice at an early age,

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and for many years had given to it his best talent, which had carried him to the head of the profession in his State.

His professional life was always marked by the highest sense of honor, by a keen sympathy for the poor or oppressed suitor, and by a plainly-shown impatience at that public clamor which now and then usurps the place of public justice, and demands a victim without much heed as to the question of guilt or innocence. His single term in this House, and his longer service in our State Legislature, had prevented his mind from running in a purely legal channel, and he stood, by natural ability and varied training, the peer of his fellows in the United States Senate.

Since that time his public life has been open to the view of all, and in common with, I suppose, a large majority of men who have watched it, I have learned the lesson of respect for its excellence. Within the last few years I have enjoyed the privilege of his close acquaintance and friendship, and can bear earnest testimony to the kindness of heart and graciousness of manner which made him, to those who knew him best, the good friend and fascinating companion. I hope to carry through my life a green memory of the good counsel and help that he always generously gave me. Of his career as a public man it is not fitting that I should attempt to speak. It was open to inspection from its beginning to its close, and, like the broad river which gains new volume with every affluent, it increased in its force with each year until at last it ended in that vast sea whither all human life flows. Others who have been intimately associated with him in the important legislation of the last fifteen years, and who can more clearly point out the guiding and restraining influence of his mind upon that legislation, have spoken in language of full appreciation.

But I cannot fail to render my tribute of admiration for the inflexible spirit of independence that he always displayed in maintaining what he believed to be right, refusing to be swayed by popular outcry or the fear of party displeasure.

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